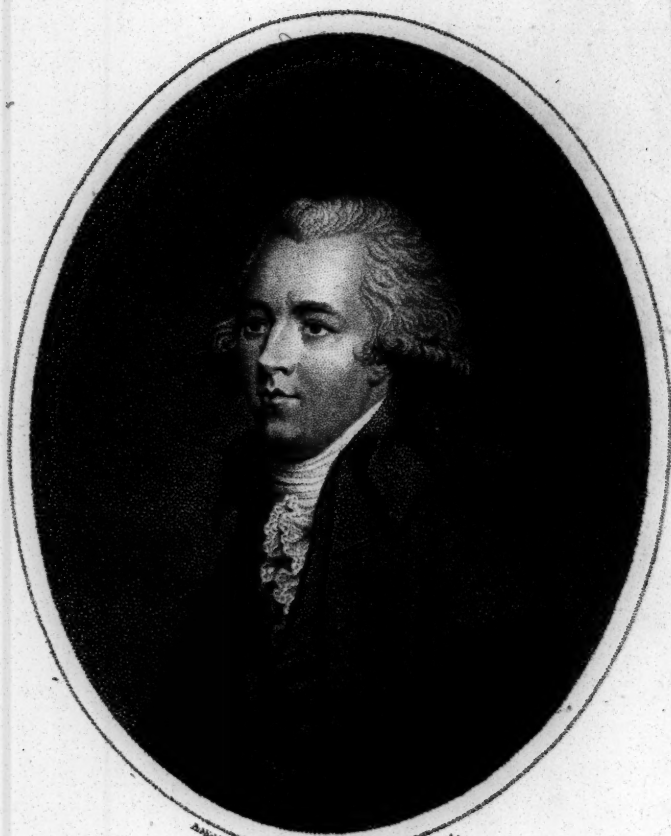
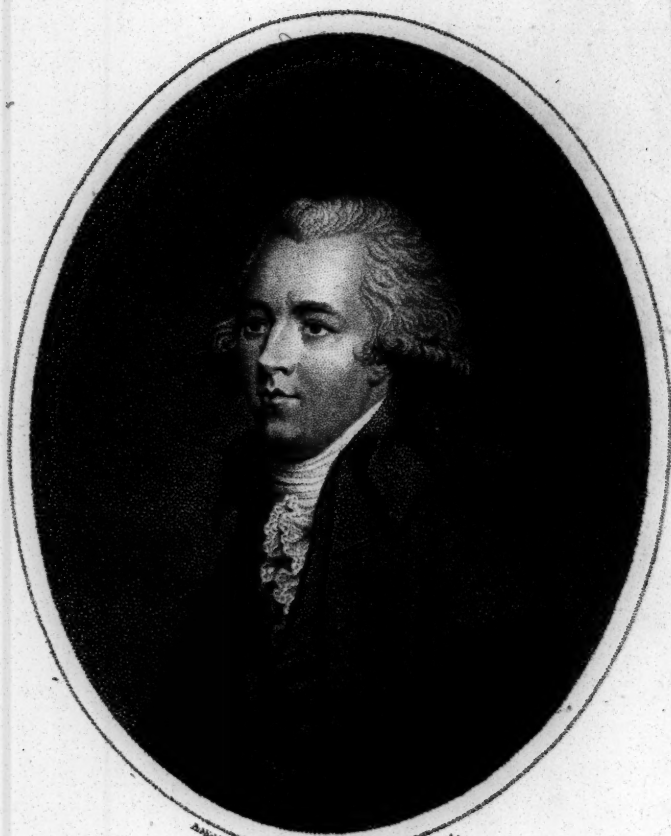




Engraved by D. Wilson & Co. 1794.



Right Hon. William Pitt.



Engraved by D. Wilson & Co. 1794.



Right Hon. William Pitt.

AN
IMPARTIAL REPORT
OF THE
DEBATES
THAT OECUR IN THE
TWO HOUSES OF PARLIAMENT.

WITH
SOME ACCOUNT OF THE RESPECTIVE SPEAKERS,

AND
NOTES AND ILLUSTRATIONS.

INCLUDING COPIES OF ALL
STATE PAPERS, TREATIES, CONVENTIONS, &c.

By *WILLIAM WOODFALL*,
AND ASSISTANTS.

VOL. I.

LONDON:
PUBLISHED BY T. CHAPMAN, No. 151, FLEET-STREET.

1794.

COMPARATIVE REPORT
OF THE

DEBATES

TWO HOURS OF PARLIAMENT

SOME ACCOUNT OF THE PROCEEDINGS

AND

NOTES AND ILLUSTRATIONS

BY THE EDITOR OF THE

BY WILLIAM WOODBURN

AND ASSISTANTS

VOL. I.

LONDON

PRINTED BY T. CROOKER, 15, FLEET STREET.

1874

TO THE PUBLIC.

THE known importance of the present Session of Parliament, during which, from the critical and highly interesting situation of public affairs, subjects of the first magnitude must necessarily be brought under discussion in the Two Houses, induced persons, enterprising in spirit, and anxious to solicit the favour of the Public by efforts to merit it, to apply to the Editor to join them in an undertaking, which, if well executed, could scarcely fail of attracting general notice, and engaging general attention. Habituated, unremittingly, to visit the fountain-head of the best sources of political information, and feeling it mortifying altogether to forego the satisfaction he had for so many years derived from attendance, where, by the courtesy and liberal custom of modern times, it was admitted, with little or no restraint, the Editor listened to the proposition; but his promptitude to accept it was checked by the recollection of the extreme fatigue that returning to

his old line of service would occasion ; when, from a variety of natural causes, he was less able than at earlier periods of his life to encounter it ; and he felt a still stronger reason for entertaining doubts on the propriety of his committing himself to a responsibility, which no single individual, who meant to endeavour to do justice to the Public and himself, could answer. His difficulty, after no inconsiderable degree of reasoning, was solved by the plan being suggested of giving him assistants, so as to lighten his labour, and afford him an opportunity of rendering the whole work, by his revision, as far as his abilities would allow, more correct and better entitled to the public notice.

Candour and fairness the Editor has ever deemed due to those who thought him worthy their countenance ; and therefore it is, that he has stated circumstances, in the narrative of which he may appear, perhaps, too much “ the hero of his own little tale ;” but he is willing to face that imputation, when he reflects that his motive cannot be considered as improper or questionable.

The Debates that occur in the House of Commons, the House of the Representatives of the People, have
generally

generally most materially interested the public attention; and the circumstance is not at all to be wondered at, because the bulk of British subjects are in the highest degree anxious to see how questions are parliamenterarily discussed and disposed of, in the decision of which, their individual property is likely to be most immediately affected. Hence the newspapers are full of reports of what passes in the House of Commons, and their accounts of the debates in the House of Lords are generally less ample and satisfactory. A variety of other subordinate reasons operate to cause this effect, and those reasons have not unfrequently operated on the Editor, while he continued a newspaper reporter.

In the plan of the present work, his intention is to keep the favourite object of the Public, viz. the Debates in the House of Commons, fully before them, to have them reported as amply and as ably as possible, and to take care that impartiality is strictly preserved: But a great portion of this department will primarily rest with his assistants, because he cannot engage to be constantly present where the extreme and unavoidable length of attendance might materially prejudice his health, and prematurely deprive his family of the benefit of his existence. In the

House of Lords, where arguments altogether new in themselves, generally of equal, and sometimes of greater weight and importance than those urged in the House of Commons, are advanced, but escape the notice of the Public, he intends to pay particular attention.

By this arrangement he hopes to open to the reader a new field of information, and be able to furnish a system of Reports, more comprehensive in its design, and more complete in its execution, than any to which their notice has been lately invited.

Feb. 1, 1794

ADVERTISEMENT

TO THE READER.

IT may not be unnecessary to bring to the public mind the recollection of the peculiar situation in which the Session of Parliament commenced, on the opening of which the following Debates have arisen. The French Republic had declared war against Great Britain early in the last year, and British troops were instantly sent for the protection of Holland, under the command of his Royal Highness the Duke of York. Additional supplies were from time to time furnished, and in conjunction with the Dutch, the Austrians, and the Prussians, the campaign commenced, and was for a considerable time carried on with great splendour and success. Holland was rescued from the imminent danger that threatened her, many signal victories were gained by the Allies, several important places, of which the French had possessed themselves, were recovered, and some strong towns upon the frontier of France were taken. The Royalists in the French interior appeared in arms, resisted and attacked their tyrannic rulers; Toulon fell into the hands of the British and Spanish forces; and in different quarters of the globe the Allies had

reason-

reasonable ground of triumph. The new and hitherto unheard-of means of raising troops by the operation of popular terror enabled the republican leaders to swell their armies on the sudden, and to drive them forward incredible in number, when, from the severe duties of an arduous campaign, the troops of such of the Allies as they were directed to attack, were least capable of effectually resisting the tremendous impression of such a horde of armed men rendered ferocious by the artful contrivance of those who collected and sent them to the field, sure of famine or public execution, if they did not succeed in possessing themselves of the strong-holds, stores, and granaries of their opponents. Under these circumstances the Republicans gained some advantages against the forces of Austria and Prussia, while their internal and southern armies defeated the Royalists in La Vendée, regained possession of Lyons, raised it to the ground, and obliged the British, the Spaniards, and the Neapolitans, to evacuate Toulon, an operation attended with consequences in the highest degree injurious to the marine of the French, and advantageous to Great Britain.

It being a striking part of the character of our countrymen to be suddenly elevated with the success of our arms, and as suddenly depressed by any casual misfortune or check that they might experience, some people without doors were apt to entertain but gloomy opinions of our prospects from the continuance

tinuance of the contest with the Republicans ; and at once forgetting that they had been the aggressors, to look to the termination of the war with a degree of anxiety and eagerness, not considering, that we could not withdraw from it without deserting our Allies, and incurring national disgrace, and that it was not in our power to treat for peace, even if a separate peace could be obtained, without the utmost danger to our future safety and that of all Europe.

Hence all men of sense and reflection rejoiced at the meeting of Parliament, conscious that the wisdom of the Two Houses would correct the weaknesses of individuals, and strengthen their minds, by adopting and pursuing that course of proceeding, which the exigency of the times rendered expedient. In the Debates of the first day, the Reader will find, that those members in the Lords and Commons, who had resorted, as it were in a body, to the standard of the Minister, when the conduct of the French began to be alarming, and the attempted diffusion of their principles threatened destruction to religion, law, subordination, order, and property, wherever they were introduced, continue firmly attached to Government, and considering the war as indispensably necessary, have pledged themselves to give Ministers their hearty support to all measures for a vigorous prosecution of it. On the other hand, the Reader will perceive that the Opposition in both Houses, though reduced by secession to small numbers, steadily maintain their former opinions, and contend against the continuance
of

of the war with unabating vigour and spirit. By a temperate perusal of the arguments advanced by different Gentlemen in support of their different opinions, the Public will be best enabled to form a judgment for themselves, and to that judgment we beg leave humbly to submit these Reports.

WOODFALL'S

PARLIAMENTARY REPORTS.

TUESDAY, JANUARY 21, 1794.

PURSUANT to his Majesty's Royal Proclamation, the Three Estates, constituting the Seventeenth Parliament of Great Britain, assembled at Westminster, when the Fourth Session of the same was opened with the usual solemnities for the despatch of public business.

At a quarter past three o'clock his Majesty came down to the House of Peers, and being seated on the Throne, and the Commons attending, his Majesty was pleased to open the Session with the following most gracious Speech :

" My Lords and Gentlemen,

" The circumstances under which you are now assembled require your most serious attention.

" We are engaged in a contest, on the issue of which depend the maintenance of our constitution, laws, and religion; and the security of all civil society.

" You must have observed with satisfaction, the advantages which have been obtained by the arms of the Allied Powers, and the change which has taken place in the general situation of Europe since the commencement of the war. The United Provinces have been protected from invasion; the Austrian Netherlands have been recovered and maintained; and places of considerable importance have been acquired on the frontiers of France. The re-capture of Mentz, and the subsequent successes of the Allied Armies on the Rhine, have, notwithstanding the advantages recently obtained by the enemy in that quarter, proved highly beneficial to the common cause. Powerful efforts have been made by My Allies in the south of Europe; the temporary possession of the town and port of Toulon has greatly distressed the operations of My enemies; and in the evacuation of that place, an important and decisive blow has been given to their naval power, by the distinguished conduct, abilities, and spirit of My commanders, officers, and forces, both by sea and land.

VOL. I.

B

" The

“ The French have been driven from their possessions and fishery at Newfoundland; and important and valuable acquisitions have been made both in the East and West Indies.

“ At sea our superiority has been undisputed, and our commerce so effectually protected, that the losses sustained have been inconsiderable, in proportion to its extent, and to the captures made on the contracted trade of the enemy.

“ The circumstances by which the further progress of the Allies has been hitherto impeded, not only prove the necessity of vigour and perseverance on our part, but, at the same time, confirm the expectation of ultimate success. Our enemies have derived the means of temporary exertion, from a system which has enabled them to dispose arbitrarily of the lives and property of a numerous people, and which openly violates every restraint of justice, humanity, and religion: But these efforts, productive, as they necessarily have been, of internal discontent and confusion, have also tended rapidly to exhaust the national and real strength of that country.

“ Although I cannot but regret the necessary continuance of the war, I should ill consult the essential interests of My people, if I were desirous of peace on any grounds but such as may provide for their permanent safety, and for the independence and security of Europe. The attainment of these ends is still obstructed by the prevalence of a system in France, equally incompatible with the happiness of that country, and with the tranquillity of all other nations.

“ Under this impression, I thought proper to make a declaration of the views and principles by which I am guided. I have ordered a copy of this declaration to be laid before you, together with copies of several conventions and treaties with different Powers, by which you will perceive how large a part of Europe is united in a cause of such general concern.

“ I reflect with unspeakable satisfaction on the steady loyalty and firm attachment to the established constitution and government, which, notwithstanding the continued efforts employed to mislead and seduce, have been so generally prevalent among all ranks of My people. These sentiments have been eminently manifested in the zeal and alacrity of the militia to provide for our internal defence, and in the distinguished bravery and spirit displayed on every occasion by My forces both by sea and land: They have maintained the lustre of the British name, and have shown themselves

“ worthy

"worthy of the blessings which it is the object of all our exertions to preserve.

"Gentlemen of the House of Commons,

"I have ordered the necessary estimates and accounts to be laid before you; and I am persuaded you will be ready to make such provision as the exigencies of the time may require. I feel too sensibly the repeated proofs which I have received of the affection of My subjects, not to lament the necessity of any additional burdens. It is, however, a great consolation to Me to observe the favourable state of the revenue, and complete success of the measure which was last year adopted for removing the embarrassments affecting commercial credit.

"Great as must be the extent of our exertions, I trust you will be enabled to provide for them in such a manner as to avoid any pressure which would be severely felt by My people.

"My Lords and Gentlemen,

"In all your deliberations, you will undoubtedly bear in mind the true grounds and origin of the war.

"An attack was made on Us, and on our Allies, founded on principles which tend to destroy all property, to subvert the laws and religion of every civilized nation, and to introduce universally that wild and destructive system of rapine, anarchy, and impiety, the effects of which, as they have already been manifested in France, furnish a dreadful but useful lesson to the present age and to posterity.

"It only remains for Us to continue to persevere in our united exertions; their discontinuance or relaxation could hardly procure even a short interval of delusive repose, and could never terminate in security or peace. Impressed with the necessity of defending all that is most dear to Us, and relying, as we may with confidence, on the valour and resources of the nation, on the combined efforts of so large a part of Europe, and, above all, on the incontestable justice of our cause, let Us render our conduct a contrast to that of our enemies; and, by cultivating and practising the principles of humanity and the duties of religion, endeavour to merit the continuance of the Divine favour and protection, which have been so eminently experienced by these kingdoms."

His Majesty having retired, *Lord Grenville* laid on the table, Copies of various Treaties which had been entered into between His Majesty and several Foreign Powers.

The Lord Chancellor, from the woofack, then read His Majesty's Speech, and the Clerk afterwards at the table.

Lord Stair arose, and apologized for his inability to acquit himself in a manner adequate to the occasion. His Lordship said, he felt it not only to be his duty, but that of every man at the present important *crisis*, generally to impress and enforce the sentiments contained in his Majesty's most gracious Speech. He proceeded to draw a picture of the present posture of affairs in Great Britain and France. When he considered the misfortunes of a neighbouring country, where the miseries naturally attendant on anarchy and confusion continued to prevail, and contemplated the security afforded by the laws and the constitution of England, his Lordship said, he conceived that it would be degrading in the extreme to his country, to draw a comparison between the two nations. It was, indeed, unnecessary to say a single word on the advantages which the people of Great Britain enjoyed above those of all other countries. With respect to the sentiments breathed in his Majesty's most gracious Speech, they were such as must meet the approbation of their Lordships, when they considered the state of affairs with respect to France at the period when we engaged in the war, and what it was at present. When, in consequence of the aggression of the French, we originally engaged in hostilities against that distracted country, she was in possession of the Austrian Netherlands, had taken Nice and Savoy, a great part of the Palatinate, and threatened Italy with invasion. The other Powers of Europe were shocked and astonished at her schemes of ambition and aggrandizement, but, inspired by our interference, those Powers, with the additional hopes of retribution, engaged in the common cause of civilized society, and proceeded to prosecute the war against France with vigour. The Netherlands in consequence were recovered, and Valenciennes, which the National Convention admitted to be the key to France, surrendered to the combined efforts of the Allies, and the brave and spirited exertions of the British. Defeated on the Rhine, driven from Alsace, their armies destroyed, Valenciennes in the hands of the Austrians, and the Southern Provinces exhausted; in such a situation, we could not surely hesitate to prosecute the war with vigour. And as a further stimulus for the prosecuting another campaign, it should be remembered, that we have got a footing in St. Domingo, which, under the present able administration, he had little doubt would be followed by the complete conquest of

6

of that great and valuable island. In addition, his Lordship said, he did not believe at this moment, that the French flag was flying in any one of the French settlements in the East Indies; and he must briefly remark, that the situation of the war at present bore the most prosperous and hopeful aspect for this country. The success of the British navy next demanded their Lordships attention. Since the memorable battle of La Hogue, a more distinguished or brilliant maritime enterprise had not been achieved, than that at Toulon by Lord Hood; not that the affair of La Hogue was in any degree of national importance to be compared to what this country had gained by the burning the enemy's ships at Toulon, and bringing several away in triumph. The destruction of the arsenal and naval stores of the second seaport in France was a circumstance that she could not repair for years. It must necessarily cripple her navy for the present and for years to come, and prove the most fatal blow that ever was struck at the French marine. These were facts that must have great weight with their Lordships, and impress on their minds the sentiments contained in his Majesty's most gracious Speech, and the impolicy of relinquishing a war in which France had suffered a greater series of mischiefs than she had experienced in any preceding war. It could not but be a pleasing consideration for their Lordships, that, while the French were thus crippled in their navy, ours had suffered little or nothing; in fact, our marine was never on a more respectable footing, nor better able to protect our coasts and trade from the depredations of our enemies. Another flattering object of contemplation to their Lordships and the whole kingdom, the Earl said, must be the striking contrast presented by a view of the internal state of the two countries. In France we could only cast our eyes on a picture of anarchy, blood, tyranny, and ruin: Agriculture and manufactures at a stand: Commerce disabled, and almost wholly destroyed: Property no longer safe, and private ease utterly at an end. In Great Britain all the blessings of a free constitution, enjoyed in their utmost extent: Agriculture and manufacture flourishing, our commerce vigorous and increasing; and although our manufactures had, as the necessary and inevitable consequence of war, received some temporary check, new markets were offering themselves, and new prospects of advantage arising. Above all, it was to be remembered, that our revenue rather increased than diminished, even under the acknowledged pressures and difficulties of war. His Lordship, therefore, flattered himself, that the House would be unanimous in accord-
ing

ing with his Majesty in his sentiments; since Great Britain had now the power of crushing France, and preventing her for years from troubling Europe. Her rulers, he observed, had acted with the most unparalleled barbarity in their own country, marking their progress uniformly with cruelty and devastation; they had razed Lyons, the first manufacturing town in France; they had determined that Toulon should share the same fate; but they spared Bourdeaux, on condition that every man of property should deliver up that property, under the pain of being massacred if he concealed his riches. La Vendée, one of the most fertile provinces of France, was *without a house or a human creature*, and every *inhabitant* attached to loyalty had fallen a victim to his principles. For twenty miles round that rich province had been ravaged; and throughout France there was no security for either liberty or life. Manufacturers were torn from their looms, and sent to the war; and the grain was seized from the poor, who were left to languish and starve, while their property, and the means of existence, were seized and distributed among the troops. In addition to these afflictions, her internal trade was destroyed; he wished, therefore, to ask the advocates for peace how it was possible, that a country, thus distressed, and so situated, could carry on a war against the combined powers and riches of Europe? Revenue, he insisted, she had not; and if she had, there were none who dare collect the imposts. Her lands had been sold and re-sold by her rulers; a second time they had plundered her churches; and as to the forced levies, many had reluctantly left Paris, but there were few who would return. War, he confessed, should not be the object of a commercial country; it was what every prudent and good statesman should avoid; but there were cases in which it would be madness not to have recourse to this extremity. And here he requested the attention of their Lordships, while he observed, that though our manufactures might receive a temporary check in consequence of the loss of the French markets, and the state of Europe on the continent, yet Spain, and every nation at war against France, was open to our manufactures, which would more than compensate for the losses sustained in consequence of the existing hostilities with that country. His Lordship said, he had been assured, by those who were the best enabled to give him information on the subject, that our trade to the East Indies was more productive than at any former period. Who then, he asked, would call upon the nation to relax in her efforts to subdue a nation, that had almost, from the wicked-

ness

ness of her own rulers, subdued herself? Was there any noble Lord, who, for the sake of a momentary and delusive repose, would risk the future security of a permanent peace? Who, he asked, would venture to wish for peace, when the consequences might be the introduction of anarchy and confusion into this happy country? If France were to depart from her recently avowed principles, if she would disavow her declared design of meddling with the constitution and government of other nations, every friend to his country would wish to make peace with her and leave her to herself; but in the present situation of affairs, he was convinced that nothing but the most vigorous perseverance would secure permanent tranquillity, and prevent the mischiefs with which, by a premature cessation from hostilities, this country was menaced. Impressed with these ideas, and approving of every sentiment expressed in the Speech from the throne, his Lordship moved an Address, which was, as usual, the echo of the Speech.

Lord Auckland seconded the Address. His Lordship apologized for rising so soon after having a seat in the House, and upon an occasion of unexampled importance. He said, that he should be obliged in the course of his speech to advert to the crimes and calamities with which, for inscrutable purposes, Providence had been pleased to afflict the age and part of the globe in which we live; but that he would speak of those crimes and calamities without asperity and without epithets; they had been such as to beggar language and to baffle description. Nor would he enter into details. The miseries and madnesses of France had too long engrossed all thoughts and all conversations; he had nothing new to say respecting them.

His great object would be, to appreciate the whole of our situation; to look it fully in the face, to examine it in all its parts; to extenuate nothing; to aggravate nothing. If it were well and properly understood, his opinion of it was such, that he could repose himself for the result with cheerfulness and confidence on the wisdom of Parliament, on the good sense of the people in general, and, above all things, on that pre-eminence of public virtue, on that genuine attachment to the constitution, which are so remarkable in the present crisis.

In performing the task which he had imposed on himself, it would be necessary for him to recapitulate our advantages, to examine our difficulties, and to advert to the different lines of conduct possible to be adopted; after which he would

would turn to the favourable part of the prospect, the grounds of confidence and of just hope.

Holland had been rescued; Frankfort, Mentz, the Principality of Liege, had been recovered; many signal victories had been gained; some strong frontier places of great importance had been taken; our armies had been strengthened; and several powers had acceded to our alliance in support of a cause which affects the honour and essential interests of every established government. Many of the foreign possessions of France had ceased to belong to her, and perhaps it was not too much to say, that England has it in her power to appropriate to herself as many of them, great and valuable as they are, as she may think expedient.

At sea, our commerce had been protected; that of the enemy had been annoyed. Our naval force, which by the peace system was very low when the war broke out, had been increased more than had ever been known in any one year of any former war, and was beyond all comparison superior to that of the enemy: And the blow which had lately been given to France in the Mediterranean, in those seas where the French fleet lately rode paramount, was such as in ordinary times would have been reckoned an ample compensation for the expenses of a campaign.

If the review could stop here, we might well expect the immediate return of that tranquillity, in the place of which France had so long presented a hideous dream of sedition, rapine, and massacre. It was, however, necessary to look to the position of the enemy, and to the means lately invented of raising an armed force by the operation of popular terror. He saw that invention with uneasiness, but not with despondency: He thought it terrible, because it could not be imitated by any nation retaining either the principles or the practice of law and humanity: But a little time might show, that it carried with it its own antidote; that it exhausted the nation which had recourse to it; that it could not easily be repeated; and that it prepared the minds of men for a more rational form of government. He was disposed to render justice to the talents of the French leaders, who certainly had shown abilities in their combination against God and man, against the religion and liberties of the world. But the invention to which he now adverted was the fruit of their crimes, and not of their ingenuity. Their situation required some desperate and unheard-of exertion. They had made terror the order of the day, and by the aid of imprisonment, confiscation, and murder, had intimidated all resistance, filled
their

their treasuries, and crowded their armies. They had sent forth those crowds with terror and famine in their rear, and with the licence of unbounded plunder in their front. Other ages had seen mighty empires over-run by hordes of barbarians; it was reserved for the present age to see those hordes composed, not, as heretofore, of wretched and ignorant multitudes: The hordes of the present day superadd to the ferocity and energy of savage life, the arts and improvements of modern war, the abuse of the invention of printing, force of language, and all the worst corruptions of polished society: It was reserved for the present age to see armies composed by concentrating all the excesses of insubordination and anarchy. An army of robbers and murderers was the worst of all enemies. So long as such a force could be kept together it was perhaps no paradox to say that the progress and result of the war would not entirely depend on the number of our victories, or on the extent of our successes.

Here then the question would arise, whether any other line of conduct could be recommended, than that of increased vigour and exertion, stated by his Majesty in his Speech, and approved in the Address. Was there any discontinuance or relaxation of our efforts which could do more than produce a short and precarious interval of delusive repose?

Would it be possible for any noble Lord to recommend a negotiation for peace? He felt an impatience in the mere mention of such an hypothesis, which he considered as an extreme both of folly and of dishonour. With whom could we make a compact? With men who by the perfidious seizure of our merchants' property, contrary to the commercial treaty, had shewn that they disregarded compacts; with men who have set at defiance every sacred obligation, that had hitherto formed the bonds and good faith of society? What minister, on the faith of a treaty with such men, would advise the King to disarm? What minister, for the sake of such a treaty, would abandon all the conquests which we now have within our grasp? France has declared that she would build a large navy; Will you then, with your present superiority, withdraw your fleets, and open her ports, that she may obtain naval stores and the means of carrying her threats into execution? But there was another objection: The leading regicides cannot make a peace, they have no security but in keeping the unhappy people, whom they are governing with a rod of iron, in a state of warfare and confusion. They had accordingly avowed their intention to overthrow all

government, and particularly the British, and had made several decrees tending to prohibit any possible negotiation with us. His Lordship said he could not lament those decrees, because he should be sorry to see any interruption to the concert of the different powers, and to the preparations making by those powers.

There remained, however, another possible mode for us. It might be said, "Suspend your subsidies, recall your armies, retire within your own island, and wait with patience for the continent to set itself to rights."

He did not believe that there existed an Englishman capable of stating seriously so shameful and so senseless an idea. The national character of honour and firmness was a principal cause of the national prosperity; and he trusted that Great Britain would never, for a moment of pressure and temporary emergency, think of wrapping herself up in a dangerous and dishonourable selfishness. Besides, we could not withdraw our armies without leaving Flanders and Holland to be over-run by the French, and by every desperate and malignant adventurer to be collected from every other nation.

Where then would be the commerce of our merchants, when all the ports of Europe should be in the same lost and desolated situation that Bourdeaux now is? Where would be the security of the British channel, when the Texel, the Meuse, Flushing, and Ostend, should be crowded with Dutch shipping, manned by the refuse of France, and maintained by the pillage of Amsterdam?

It had happened to him to see the near prospect of the calamity which he now described, when the French army was trying to pass the Moordyk, in February 1792; and he was convinced that if they had not been prevented by the wise exertions of this country, and of the Dutch Ministers, not all the brilliant victories of the Prince of Cobourg would have been able to dislodge Dumourier, and to force him out of Holland; and if the French once got possession of Holland, there was an end to the security of Great Britain.

If then it was impossible to negotiate or to withdraw the armies, it remained only to push forward the war with redoubled energy, and with all the resources, force, and union of this country.

We had not fought the war; it had come upon us like a calamity of the elements; we must resist that calamity as well as we can; not for an indefinite period or purpose; but till we are indemnified for the outrage offered to us; and at all events till we can make peace with safety.

It remained for him to present the bright and cheerful side of the picture, to compare our situation and that of the enemy. He had been several years in France, and had seen her, with all the defects of her government, one of the happiest countries under heaven, except our own. He now saw her torn by civil faction and the worst paroxysms of sedition, destitute of trade and manufactures, neglectful of agriculture, and depopulated by maintaining fourteen armies, by famine, by a general depravation of manners, by emigrations beyond all example, and by a continued massacre perpetrated from day to day in all her unhappy cities. He also saw her engaged in an expense, amounting, in the course of one year, nearly to the total of our whole national debt.

The contrast of the picture in England is very pleasing. We have reason to believe that the supplies may be found without any severe pressure on the people. Our commerce is flourishing, and new and important markets are opening to it: And he had reason to believe that the revenue of the last year would be found equal, or superior, to the average stated by the committee of 1791 as the average peace revenue.

It was in itself a great advantage to our cause to have the consciousness that we might ultimately hope for the protection and blessing of Providence on our arms.

On the whole, he saw every good ground to hope that Great Britain would add to the bright pages of her history the glory of rescuing mankind from a torrent of murder, rapine, and irreligion, and from all that train of evils with which the French lunacy had so long menaced the whole of the civilized world.

The Earl of Guildford * said, he feared the unanimity so much expected by the mover and seconder of the Address would not take place; his Majesty would no doubt always find support from that House, when any support was necessary, either for the preservation of the honour of the Crown, or to

* Eldest son of the late Earl of Guildford, who came into the ministry about the year 1768, and held the premiership till the spring of 1782, when, through the adverse events of the American war, he was compelled, by increasing minorities, to retire from the helm of government, and yield his situation and power to the administration formed by the late Marquis of Rockingham, Earl Shelburne (now Marquis of Lansdown), Lord George Cavendish, and other popular characters. The present Earl is a man of most amiable character and considerable abilities, beloved, like his father, by all who know him, and most honourably true to his principle, as the inheritor of his father's share in the memorable Coalition of 1784.

secure the safety of the people; and in such cases none would be more ready than himself to stand forward, and lend every assistance that was necessary. From the Speech from the throne and from the Address, he was sorry to find no prospect of peace held out, nor a probability suggested of a speedy termination of the war. Peace, his Lordship observed, was highly desirable on every account. At the same time he would be the last man to advise agreeing to a peace neither honourable in itself, nor prudent for the nation to accede to. So much therefore did he differ in sentiment from the noble Earl who moved and the noble Lord who seconded the Address, that he felt it his duty to move an Amendment to the Address, for the purpose of opening a way for peace.

We were confessedly in a state of difficulty and embarrassment. Whether that arose from misconduct or misfortune, he should not now inquire. The question was, how we should get out of our present embarrassment; and from all he saw, by the information we had upon the subject, our best method was that of setting on foot a negotiation with a view to the adjustment of an honourable peace. He might be told that unanimity was desirable; in a contest such as we were now engaged in, he would go as far as he thought any noble Lord ought to go, for the purpose of preserving unanimity in the great council of the nation; but that should be the case only when he was satisfied that public affairs were conducted in the best possible manner. What was our situation at that moment? We were engaged in a desperate and expensive war, and without any definite object to be gained by it. Parliament thus met, and of course expected to have the most ample satisfaction upon material points. What had that day produced? They heard of nothing but of persevering in a system that could gain nothing to Great Britain, and might end in our total ruin. Their Lordships had been told at one time that the safety of our allies the Dutch required our interference. Holland was now safe, and yet we continued hostilities as at the commencement of our engagement in the war. How long we were to continue them, it was impossible to tell, unless we came to some specific point upon the subject. At present the object of the war was undefined and apparently undefinable. If we were not to sheath the sword until monarchy was restored in France, God only knew when the dispute was to be put an end to; and it was impossible to be too eager to check that career of pride and folly. Every man would, in his opinion, do all he could for that purpose, unless he thought that this country should be entirely sacrificed to the aggrandizement

dizement of Austria or of Prussia, and that Monf. Calonne should fill the place of Robespierre. He therefore felt it to be his duty, to intreat the House to be aware of the danger we were in, and to take care not to advise his Majesty to any thing that would put the happiness of this country to ultimate hazard.

To entertain their Lordships with general declamation upon the advantages of peace, and the calamities of war, was unnecessary, and therefore he should avoid it; but there were circumstances at the present moment of so much importance, that it was impossible to pass them without notice. It was first of all to be considered that the object of the war was not ascertained. If we regarded appearances, at one time we should find that the war was undertaken for the safety of Holland. At that time nothing was said on our part about any form of government in France; on the contrary, the whole of it was given up.

When Lord Hood negotiated with the Toulonese, and when they were induced to receive him into their port, it was under the express stipulation of supporting the constitution of 1789: Of that constitution, which had been properly styled a "Magnificent Fabric of human Wisdom and Virtue," and against which our allies on the continent have declared war, we this day hear not a word. If Lord Hood was not authorised to propose the terms which he offered, his public declaration to the people of France was a gross imposition on the Toulonese, and a scandalous reflection upon the government of this country. Does the Address propose that we should prosecute the war for the protection of our allies? Has Holland once entered into the minds of his Majesty's ministers on this occasion, or the noble Lords who have with so much eloquence supported the Address? It is but too obvious, from the language which they have used, that the objects which ministers have in view are widely different from those by which the public were led into this unfortunate war. Let us, however, for a moment, suppose that the end which they wish to obtain is the protection of Holland, and of Great Britain, against the incursions of the French republicans; give me leave to ask your Lordships, whether this end could not have been as effectually obtained, and much more effectually obtained, by negotiation than by warfare? Was it not proposed to them, before we were plunged into the horrors and devastation of war, to try the experiment of negotiation? When that had failed, it would have been time enough to commence hostilities; and there are few, I believe, who are not now convinced, that the safety of Holland would have been better secured

cured by the conciliating voice of our ambassador at Paris, than by the thunder of our cannon. It may be said, that the moment I allude to was not the most favourable; that the French were at that time so elated with their astonishing and before unheard-of successes, that they would have listened to no terms which the dignity of Great Britain, and her good faith to her allies, could have permitted her to offer. The history of that period, and the language and efforts of her ministers, ambassadors, and generals, afford a complete refutation of such an assertion. But let us even here again concede to those who are of this opinion. We know of another period, the circumstances of which can give no support to such an argument: Were they not sufficiently humbled in the course of last summer, by a retreat as speedy and disastrous as their march had been rapid and victorious; when their army had been half destroyed, and the remains of it had been almost totally disorganised; when they had been driven from Brabant, and had been unsuccessful from Western Flanders to the Rhine; when several of their provinces had been invaded, and their most important fortresses had been subdued; is there a noble Lord in this House who does not in his conscience believe that they would then have been eager to listen to such terms of peace as became the dignity and justice of this country to offer? If insolence is too often the attendant of prosperity, adversity is generally accompanied by moderation and humility. Much has been said of the signal advantages we have gained over them, and the certain prospect we have of a speedy peace, by vigorously exerting the strength, and applying the resources of this country in the prosecution of the war. Our advantages, I much fear, will be greatly counterbalanced by the expenses we have incurred, and the losses sustained by our traders and manufacturers. If we also compare the conquests made by the allies with the present position of the French armies, it is to be feared that the former have not much to boast of. May it not reasonably be inquired, whether we have not already obtained the end which we proposed? and after the obtaining of which, his Majesty's ministers repeatedly and solemnly declared they would pursue every measure that should tend to procure a speedy, safe, and honourable peace? Our allies the Dutch are in perfect security. The French had been driven from their territories, and confined within limits, beyond which we ought not to attempt to pass. The noble Lords who moved and seconded the Address admit, that they have made the most stupendous efforts, and such as have astonished all Europe; but this *rising in a mass*, say they, cannot be repeated or imitated.

It

It is a violent convulsion, which must exhaust the nation that resorts to it, or at least so far weaken it as to bring it to a low pitch of humiliation. The same causes, my Lords, will produce the same effects. The pressure of an invading enemy only bends the bow to give the arrow a greater degree of force. Their extensive territories we are all acquainted with; their vast numbers, and great internal resources, are unquestioned; and whatever may be their dissensions and massacres, we find them capable of bringing into the field, troops that have scarcely learned their exercise, and yet have successfully opposed the best-disciplined armies in Europe. What reason have you to believe that those troops, which they will oppose to us in the next campaign, will be less disciplined, or worse appointed, than those we have already had to contend with? History teaches us that experience makes the soldier, and practice often leads to victory. The cruelties practised at Lyons, which have been painted in such glowing colours by the noble Lords, and to no one are they more abhorrent than to me; the destruction of that first manufacturing city in the world, as they have called it; the massacre and banishment of its numerous inhabitants to the interior provinces, all forming, as they say, a dreadful prelude to the fate of the not less celebrated city of Toulon; the wars and murders of La Vendée, the finest and most fertile province in France, are urged to show that the French are so reduced, that they cannot long resist the formidable powers of the allies. Here let me again ask, whether the desolation of La Vendée, and the destruction of those once famed and flourishing cities, will encourage other provinces to revolt against the existing government, and induce Bourdeaux, Marseilles, and Dunkirk, to expose themselves to the same exterminating vengeance?

Another argument has been adduced to encourage us in the prosecution of the war, arising from the destruction of the ships and naval stores at Toulon. The noble Lord who moved the Address says, that this alone will compensate us for all our losses and expenses incurred during the war; and whatever may be their future form of government, they will not for many years, perhaps an age to come, be able to disturb the tranquillity of this country. To estimate our gain by the losses of the French, is not the most accurate method of calculation. I cannot see how the reducing of France to poverty will enrich Great Britain; and I shall have occasion to show presently, that it will have a contrary effect. Was it for the purpose of making a partition of France among the allies, that we so benevolently interfered? Was it then for the purpose of destroying her
wonted

wonted consequence, that we so humanely interposed our fleets and armies in behalf of Louis XVII. ? Is it to reduce her for the future to the lowest degree in the scale of nations, *whatsoever may be her form of government*, that we are to prosecute this disastrous war ? Our allies may, perhaps, owe us some obligations, if this be the case ; but no Frenchmen of any description, royalists or republicans, can thank us, after having discovered this cloven foot. The arguments suggested in favour of the continuance of the war naturally divide themselves under two heads, the policy of the war, and its necessity. The policy of the war, if there be any, must be founded upon some present gain, or the prospect of some future advantage that we are to reap from it. Circumstanced as the two countries are, our interest would be promoted by the prosperity of France, rather than its ruin. A neighbouring nation, desolated and impoverished, can hold out no advantage to this country, whose welfare essentially depends upon the flourishing state of her trade and commerce. If France should be exhausted by another campaign, will Great Britain be stronger at the end of it ? If you dry up the resources of France, will you not destroy your own markets ? If you desolate her, what commodities will she have to exchange with you, or money to purchase what you have to sell ? But be the policy of the war what it may, if it be not founded in justice and in honour, it should be spurned by a nation hitherto famed for those distinguished virtues. The arguments adduced to prove the necessity of continuing our warlike operations against France, may be reduced to three heads. It is said, that we must go on :

First, Because it is necessary to oppose the progress of the French arms.

Secondly, It is necessary thereby to prevent the propagation of French principles.

And, Thirdly, We must persevere, until such a government can be established, that will induce us to treat under the fairest prospect of obtaining a lasting and honourable peace.

His Lordship said, he meant not to deny, that the progress of the French arms was at one time very alarming. It threatened the annihilation of the Dutch, our most valuable allies ; and if it had not been timely checked, it might have endangered (he scrupled not to say it) the salvation of this country. The state of things is, however, now reversed ; the French are separated from Holland by a sufficient distance ; and some regard ought to be paid to their public declaration, viz. " That they do not mean to interfere in the internal government

vernment of any country, nor will they make war upon any nation that is not the aggressor." But have his Majesty's ministers calculated the force and the resources by which they are to accomplish the important end they have proposed to themselves? Much reliance, no doubt, must be placed upon, the assistance of our allies, who, as the Speech expresses it, have entered into an almost general confederacy; but our hopes cannot be much brightened by the prospect of assistance from those whom we are obliged to subsidize for the singular purpose of defending themselves. It is notorious to all Europe, that the resources of Austria are exhausted. The Emperor can no longer levy fresh imposts upon his subjects; and he is left to the precarious support of private benevolences, and the loyal contribution of individuals. As to the King of Prussia, less reserve is necessary. Notwithstanding the late shameful addition which he has made to his territories, by the plunder of the innocent and defenceless Poles, he either cannot, or will not, contribute any material assistance to another campaign.

But it is urged, that we must at any rate prevent the importation of French principles, that are destructive of the peace of every civilized and well-regulated government. The doctrine is not more exploded, that you cannot make converts by the sword, than that you cannot prevent the dissemination of political, or any other principles, by the aid of arms. But what more apt means than those used by the allies could have been devised to spread the false philosophy of the French, which is justly reprobated by every wise and good man? If you wish to crush the Jacobins of this country; if you desire to render abortive the machinations of a *British Convention*; if, my Lords, you would impress upon the minds of his Majesty's subjects, a sense of the inestimable blessings resulting from our excellent constitution of King, Lords, and Commons, prove to them that they have a government that will secure to them their liberty and property, together with all the advantages of peace and prosperity. Many considerations lead me to reflect, that the people of this country may soon be discontented with the conduct of our public affairs; and when that begins to appear, it is not by argument, or syllogisms the people will be satisfied, but by their feelings. It is in vain that you tell them the British constitution is the wisest and best that was ever framed; you must make them feel that they actually enjoy under it those advantages which it is calculated to afford them.

Lastly, it is said that you have no persons to treat with who have the power or inclination to secure to you a lasting peace. If

he were asked, his Lordship said, who those are with whom we ought to open a negotiation? he would answer, *those men* (be they who they may) who have the direction of the *arms* and of the *force* of the country.

He declared he could not suspect that there was a noble Lord present who was not convinced, that if you offer them terms which are fair, they would close with us; and the treaty which it is their interest to conclude, the same interest will bind them to observe. No difficulty ought to arise from the form of the government with which he proposed we should negotiate peace. We are at peace with governments that bear a strong resemblance to that now existing in France. We have *treated* with those of the same description, and we are actually in alliance with Dantzick. He should therefore beg their Lordships' pardon for so long an intrusion on their time, and submit an amendment to be inserted after the third or fourth paragraph of the Address, to the following effect:—"That this House do thank his Majesty for the gracious declarations which he has been pleased to make of the views and principles by which he is guided in the prosecution of the present war; but they hoped His Majesty would seize the earliest opportunity to conclude a peace, by which the permanent safety of his subjects, and the independence and security of Europe, may be provided for; and that they humbly hope no difficulty may prevent the attainment of so desirable an object, from the form of government which may be established in France."

"I shall only trouble the House, his Lordship added, with one or two more observations. The resources of the country are unquestionably great, but it behoves his Majesty's ministers to reflect on the inevitable losses which we have sustained since the commencement of hostilities, and the heavy distresses under which our manufacturers, and all the lower classes of the people, labour. When new burdens are laid on, he believed their abilities to sustain them had not been estimated. However the war might be terminated, there was no possibility of our being reimbursed, and *when* it might terminate, the noble Lords could only form a very uncertain guess. One thing appears clear, viz. that there is no probability of its ending successfully under the management of those who have the present direction of it. If we must go on, let the business be entrusted to those who have abilities to conduct it more successfully; and if, from the justice of the cause in which we are embarked, we have reason to hope for the interposition of Him who is the Ruler of all the nations of the earth, let us
seek

seek for agents to whom he may be more propitious than to those who have hurried us, and wish to plunge us deeper, into the miseries of this ill-fated war."

The Duke of Portland * said, he could not consent to give a silent vote upon so important an occasion, and therefore he was thus early anxious to offer himself to their Lordship's notice. He had, at the commencement of the war last year, acknowledged his opinion of the justice and necessity of it; and he was now more fully convinced of both. He thought it the duty of every man to concur in strengthening the hands of Government, as the war was necessary, and a vigorous prosecution of it appeared to him to be the only probable means of saving the country, and bringing the contest to a favourable end by an honourable and permanent peace. The war, his Grace said, differed from all others:—It was a *defensive* war in the strictest sense of the words. He considered the war to be merely grounded upon one principle, and that no less than the preservation of the existence of the *Christian Religion*: Against that inestimable blessing, and against all that was sacred and dear to us, he conceived all the thunder of our enemies to be aimed; and we had no other means to preserve them, together with our constitution and property, but the humiliation of a power founded in rapine, cruelty, and fraud, which threatened equally the destruction of all.

He declared he did not know to what the amendment could tend. Did his noble Friend mean to recommend a breach of all the treaties which existed between this country and foreign powers? A measure which it would unquestionably be dishonourable in the extreme for this country to pursue, and which must ultimately end in our ruin and disgrace. His Grace concluded with declaring that he would pledge himself to give his cordial support to ministers, and therefore would vote for the Address.

The Earl of Guildford explained the nature of his motion, which seemed to him to have been misconstrued by the noble Duke. It was not his view to advise his Majesty to make a separate peace, or to dictate to his Majesty any specific terms of peace whatever, but merely to advise his Majesty to order a negotiation to be set on foot on such terms as to his Majesty might appear just and reasonable.

Earl Spencer said, he also, like his noble friend who had just sat down, could not consent to give a silent vote. He said

* First Lord of the Treasury during the Coalition Ministry, which came in after the peace in 1783, and continued in power till Friday, Dec. 19, 1783, when they were dismissed by his Majesty.

he meant to vote for the Address, for the same reason as the noble Duke had alleged, being persuaded of the justice and necessity of the present war, and that the preservation of all order, and every thing that was valuable in civil society depended on it. The Earl said, he was extremely sorry to be obliged to sacrifice old friendships, and to abandon political connexions with those with whom he had long been in the habit of acting; but such a sacrifice, painful as it was, must be made, when conscience and the most deliberate reflection convinced him that at so momentous a crisis every other consideration ought to give way to the welfare of his country. He acknowledged that he felt particular pain in separating himself from a gentleman, whose amiable qualities in private life had long since entitled him to his warmest regard, and whose eloquence and ability in parliament he contemplated on the present occasion with admiration mixed with emotions of affliction, because the gentleman to whom he alluded, had appeared to him to have governed himself since the revolution in France by principles closely connected with those which had given birth to conduct and practices in that country so disgusting to humanity, and so full of horror. Great therefore as the sacrifice was, he felt it his duty to make it, and could not help uniting, with every other well-wisher of his country, to strengthen the power of his Majesty's ministers' hands, in support of the sentiments that day delivered from the throne, which justly stated the necessity of the prosecution of the war with vigour and perseverance. He would therefore support the Address, and joined in the just tribute of praise to his Majesty's ministers for the merit and ability of their conduct during the last campaign. He said they had achieved that which in the reign of Queen Anne was generally considered as a master-piece of policy; indeed they had even effected a greater combination of powers to oppose the progress of the French carnage and devastation than formed the grand alliance of that era; they had also in a great measure stopped the mischief of the dissemination of the French principles and doctrines, so subversive of all peace and tranquillity, the effects of which had abolished religion and humanity in France. His Lordship reprobated the idea of making peace with those, who denied the existence of a God, and had declared perpetual war against all states where the laws of civil government opposed a barrier to their wild and extravagant system of equality—a system founded in the grossest absurdity, and maintained by murder and rapine. The war appeared to him to be a just and necessary war; and nothing had been done on our part to render it less
just

just than it was at the commencement: He was therefore for a vigorous prosecution of it, as the only means we had of *preserving the constitution of this country*, and securing the tranquillity of Europe. Whenever we were to negotiate terms of peace, it should be for such a peace as should be honourable and promise permanency. For these reasons, he pledged himself to give his hearty and unequivocal support to his Majesty's ministers for the vigorous prosecution of the war, and would that day vote for the Address, as originally moved, and against the amendment.

The Earl of Coventry said, if the ministry of this country did not oppose the mad politics of France, if they did not put a stop to the wild enthusiasm of the Republic, if French principles prevailed, our wooden walls would be rendered useless, and all the property in England would not be worth five years purchase. What would have been the consequence had the arms of France over-run the United Provinces? He would not hesitate a moment to assert that Britain would fall; her proud navy would not be able to protect her. His Lordship said, he could not more comprehensively describe the necessity of vigorously prosecuting the war than by one short sentence; he would not say, as the Roman patriot did of old, *delenda est Carthago*, but, *minuenda est Gallia*; a truth so undeniable, that it needed not an argument to illustrate or establish its verity. For these reasons the Earl declared, he gloried in the cause in which the ministry had embarked, and assured them that they should have his steady support.

The Duke of Norfolk lamented the necessity of his differing in opinion from his noble Friend near him (the Duke of Portland), to whose purity of mind he was ready to bear witness. He said, there was no man in the house more anxious for the maintaining our happy constitution than he was; yet he could not induce himself to suppose that those imaginary dangers, that had been artfully and industriously held out to the Public, warranted the Ministry in continuing the war. He hoped, since he had often been told in that house in the last session, that Ministry embarked in the war to protect the United States, that when they had accomplished their object, they would have withdrawn their troops, or else contented themselves with forming a barrier to protect those allies for whom we were so dreadfully alarmed. But he was sorry to hear the object now disclaimed, and lamented seeing the country plunged into a continental war, which was likely to exhaust her finances, and which had already involved the people of this country in such unheard-of calamities. Ministers rushed into the war, supported

ported by popular caprice; and he believed, from what he heard in the parts of the kingdom which he had found occasion to visit, that the war was still popular, and that the people were still anxious for the continuance of hostilities. From his connexions in the country he had an opportunity of knowing their sentiments, and he feared the fact was as he had just stated it. He saw indeed some of the people lamenting their ill-judged ambition, and regretting that imprudence which encouraged their destructive career; and he was now convinced of what he ever had supposed before, that there were no grounds for the panic of government, no danger of the introduction of French principles into this country. The people saw too dreadful an example in France to imitate such conduct here. He condemned the obstinacy of Ministry in rejecting all negotiation with France; that alone which could save the blood of Europe, and terminate those dreadful calamities.

He feared that an unfair advantage had been taken of the public in this business, from the commencement of it; the generous feelings of Englishmen had been worked upon unfairly; for, by perpetually bringing to view the assassinations and other atrocities of the French, the horror naturally excited against these was made use of artfully as a pretext for the war. To this were to be added false alarms, that were raised last year, and continued for some time afterwards; when stories were told about visionary plots and invisible insurrections; so that there had arisen something like popularity about this war, and he knew not whether the delusion was yet entirely at an end; he believed not: but be that as it might, it was the duty of that House to prevent the continuance of an unnecessary and a ruinous war; and impressed with that idea, he should vote for the amendment of his noble friend.

His Grace, in the course of his speech, adverted to what Earl Spencer had said of sacrificing party connexions, and paid some handsome compliments to the Member of Parliament supposed to have been alluded to.

Lord Spencer therefore rose to explain, repeated his former language, and declared he meant not the smallest personal reflection, but merely to state his reasons for abandoning a political connexion, the separating from which gave him much real pain.

Lord Hay (Earl of Kinnoul), in a short speech, declared, that he gave his hearty and sincere support to the Address and to Ministers, because the war was necessary and unavoidable.

The Earl of Derby began with declaring that he should vote for the amendment of the noble Earl. It was, he said, his wish

wish that it would admit of even yet stronger language, so that he could bring his mind to some fixed point or condition, upon which his Majesty's ministers might be induced to say they were ready to negotiate for so desirable an object. He expected that Ministers, or their friends, would have defined the object of the war: As for his part, he could not conceive why it was continued. Was it to extirpate republicanism, and establish royalty in France? If so, we must wait for the extirpation of every man in it; till then, we could not hope to accomplish our object. He had been told of the flourishing state of our revenues by one noble Peer, and he was informed, what had appeared to him rather strange, that it had equalled any year of our peace establishment, and this as an inducement to continue the war.

[He was told here by Lord Auckland, and other noble Lords, that the *average* of four years was only meant, as stated by the Committee of 1791.]

The Earl of Derby remarked upon this, that though he gave the noble Lords full credit that they believed this to be the case, yet the assertion did not bring very complete conviction to his mind: At any rate, the exceedings of revenue were no argument for protracting the war. A noble friend of his had declared, that in the parts of the country which he had occasion to visit, the war seemed even still to be popular. He was a little surprised to hear this from the noble Duke, because he had not himself found it so: A different opinion prevailed in the large manufacturing county in which he lived. In that county 12,000 manufacturers had been taken from the loom, and sent to the army. Was that a very satisfactory circumstance, and either likely to make the war popular, or to aid the revenue?

Could they call this national prosperity? could they tell the nation her finances were flourishing, when the means of making her so were destroyed? What gave energy to the merchant? what drew wealth into the country? To our manufacturers we were indebted for all, and these were latterly dwindling into decay. It was a circumstance of melancholy reflection, and could not be concealed.

His Lordship said, he did not understand what the noble Earl, who spoke last but one, meant by *minuenda est Gallia*; to what does he apply the word *minuenda*? To the armies, or to the marine of France? Does he mean to limit the establishment of either one or the other? Does the noble Earl mean to say in one of these points to France, as Rome did at one time (of that period of her history from whence the noble Earl borrowed the quotation) to
one

one of her adversaries, " You shall limit your marine ; you shall have so many gallies and row-boats, and no more ? " Would France listen to such language for a single moment ? His Lordship said, he would avoid entering into the consideration of the conduct of the war, as opportunities enough for discussion on that point would necessarily present themselves in the course of the session. He could not, however, avoid saying a word or two, on the statement given by authority of the transactions at Toulon ? He noticed a palpable suppression of certain circumstances, detected by a reference to passages, which were communicated on a previous occasion by the writer. He noticed the general conduct of our allies, and adverted to their means of carrying on a war. He begged to know if Austria was not crippled in her resources, and whether the Emperor had not notoriously been disappointed in his application for the voluntary aids of his subjects ?

If we looked towards the King of Prussia, did his declared poverty promise a wider extent of warlike preparation, and a much larger duration of his assistance ? Russia had indeed joined in the opinion that it was a common cause, in which all kingdoms and every people were alike interested ; but her good wishes were the sole aids furnished by that enlightened and liberal potentate. When he thought of the powers we were made to subsidize, to defend their own dominions, he was at some loss to conceive how far this complaisance might carry us. Would our resources, impoverished as they must naturally be, suffice to keep up the bankrupt armies of all Europe ? His Lordship too remarked, that we could have small reliance even upon the gratitude of our subsidized allies. Certain powers, of this description, had thought proper, not merely to evacuate a fort, but to quit a town without our leave, and consulting only their personal safety, disregarded the grand obligation, for the preservation of which they were so liberally paid.

After commenting pointedly on this fact for some little time, the Earl entered into a justification of the amendment moved by his noble friend ; and declared, it appeared to him to be highly necessary, and should have his cordial support.

The Earl of Mansfield began with promising their Lordships that he would not be long. The House, he saw, was exhausted, and he felt himself rather indisposed. A few observations, however, he wished to offer. If any obstacles had arisen in the prosecution of the war, *that* to him was an additional reason for his giving his cordial and zealous support to Ministers in the prosecution of this just and necessary war.

He

He gave them his support, in confidence that they would act up to the exigency of the occasion, with that manly firmness, steady perseverance, and well-guided conduct, which the occasion required. He hoped they would prosecute this war until the object of it was attained; and he was glad to find it marked out in the Speech from the throne. The war had been falsely called without doors, A War of Kings. In fact it was a war of a much more important nature. It was a war for the preservation of order, government, religion, law, justice, morality, and humanity. The necessity, the object of engaging in hostilities, had been often declared to that House; but some noble Lords seemed or affected to be ignorant why it should now be continued. Are we not still as far as ever from attaining a lasting peace, a peace which we can depend on? He did not mean to say that the war was continued to obtain satisfaction and indemnity. They were undoubtedly great points in the case; but they were not the principal matters to be considered. The object was this, to restore order and good government in France, and to preserve to ourselves, and the rest of Europe, the blessings of order and legal government: For the French had declared war against order and good government in Europe, and were determined to do all they could to make the rest of mankind as wretched as themselves; they were determined to prove themselves *hostes humani generis*. They were a set of beings who had formed a conspiracy against the general interests of mankind.

The question so often mentioned, *viz.* With whom were we to treat for peace? was a proper and an unanswerable question. There was not a proposition in Euclid clearer than this, That it is impossible for order to make alliance with anarchy. What government is there yet for us to commence a treaty with? there still continues that disunion in the councils of France, which can induce us to hope only for further anarchy and confusion. What would have been the situation of affairs, if some months ago we had treated with those who then held the executive powers of France? We should have again been involved in the same necessity; for the party we must have then negotiated with, have since suffered from the weight of that tyranny which they were so active in raising. We might indeed treat with an usurper. Cromwell, for instance, was unquestionably an usurper, yet alliances were formed, and all Europe treated with him; but Cromwell had permanent power, which was not the case with the present rulers in France. If we entered into negotiation, it must be for permanent and lasting peace: That was the object of all negotiation; and nothing could be more true than that de-

claration in the Speech, which stated, that to negotiate now, and to relax from exertion in the war, would only produce a moment of delusive repose. It would, in fact, be attended with the most dangerous consequences, and precipitate that ruin, it was not less their duty than their interest to avert. If war, as it now stood, was a serious evil, agreeing to the amendment would double the mischief they intended to remove; for, in all cases of this sort, the party with whom you treat, should have the power, supposing them to have the inclination of making a permanent treaty. What would have been the effect of our having treated with the Girondists last year, as was then recommended, they being the predominant faction in Paris? What was now become of Brissot and his party?—Fallen by the most equitable of all laws; fallen under the keen severity of their own system—

——Necis artifices arte perire sua.

Suppose we were to treat with Robespierre, whose security had we that he and his faction might not meet the same fate? Such are those who rule the republic, and such are the men we are desired to make peace with. Can any noble Lord be so inconsiderate, as to desire the ministers of this country to commence a negotiation with these subverters of all order? they who have built their government on the destruction of monarchy, and who are not satisfied in performing their horrid crimes in their own country, but who wish to introduce them all over Europe, and convince the people of other countries of the excellence of such principles?

If they treated with France in the present form of government, they would not have any ground to stand upon; we should never have another ally in Europe, and, what was worse, we should not deserve to have any. Let them proceed then in this war with steadiness, and their object would be gained. He felt as much as any man, that war was a great calamity; but that nation would soon sink into insignificance, where war was regarded as the greatest calamity. Their Lordships should hear the words of St. Just, one of the moderate men of the Convention: "Let Great Britain awake, and we will assist her in getting rid of Kings. Away with that infamous island!" We had long enjoyed the blessings of a free government, and he hoped we should hand it down unimpaired to posterity, to be by them enjoyed until time should be no more. We are engaged in the cause of all civilized Europe. In so great a purpose, and for so great an end, should England be foremost in deserting the standard? Forbid it justice, forbid it sentiment, forbid it humanity! No, my Lords, we will not negotiate with such offenders; we will show them, by our reso-

resolutions, this night, we are determined to check their presumptuous endeavours, and convince them that Englishmen still regard and adore that Sovereign, whose attention to their real interest merits their gratitude, and secures his undisturbed tranquillity. Nor, my Lords, can we observe in this Convention any intention of relinquishing these alarming principles. God forbid we should have a peace on such dishonourable terms!—God forbid that we should treat for one, till we can secure our constitution, preserve our liberty, and maintain our religion!

Earl Hardwicke said, he thought it incumbent on every noble Lord, who had at any time stated his sentiments on political subjects in that House, that day to rise and avow his opinion as to the present important crisis of public affairs. He meant most decidedly to give his vote for the Address, and to lend ministers every possible support towards a vigorous prosecution of the war; because he not only considered it as just and necessary, but such as had been forced upon the country, and could not at present be brought to a termination with safety and honour. He agreed entirely with those noble Lords, that there was not in France any proper power to treat with at present, so as to make a peace to be relied on, in the smallest degree likely to be permanent and secure. When a noble Earl near him (*Lord Mansfield*) had said, that *It was impossible for order to make an alliance with anarchy*, he had, perhaps inadvertently, used the very expression of *Monsieur Brissot*, in his pamphlet addressed to his constituents, published at Paris in May last, and immediately suppressed: The pamphlet, though so long since published, had not, for the reason he had stated, been known much of in London, till within a few weeks past. That pamphlet gave a striking picture of the true situation of the Convention, and the predominant faction in Paris; and the statement it contained might be relied on, as the author was well known to have had a principal share in contriving the plots he described, and to have been one of the chief actors in the scene of his political drama. His Lordship thought no man could read that curious pamphlet, and not be convinced, that it would be the extreme of folly to attempt to negotiate for peace with any persons in France at present. The circumstances of the times, and the situation of the country, the Earl said, reminded him of a celebrated performance at a memorable epoch of our history, he meant the last speech of King William to his parliament; that speech had made so much impression on the public mind, and been so generally admired, that it was

printed and sold in great numbers, which were framed and hung up for years together in most of the houses in all parts of the kingdom. His Lordship read some of the most striking passages of it, and particularly that in which the King told his parliament, to *recollect that the eyes of all Europe were upon them; that the cause the country was engaged in, was most arduous and important; but that they might entertain a confidence of success, IF ENGLISHMEN WERE BUT TRUE TO THEMSELVES.* His Lordship commented on the wisdom and salutariness of this language, and on its appositeness to the present occasion, when the eyes of all Europe were clearly upon us, and there was so much occasion for public unanimity, and for Englishmen to be true to themselves.

Earl Stanhope said, he was astonished to hear the noble Duke and the noble Earl near him, pledge themselves respectively to that House, to give their cordial and hearty support to ministers, during the future prosecution and continuance of the war: He rose, therefore, to pledge himself to that House, and to the public, as heartily to give his firm and most determined opposition to the war, in every stage of it; because he thought it a most unjust and unnecessary war. He meant that night to vote for the Amendment, as proposed by his noble friend; and was sorry to have heard it so much mistated, as it had been by the noble Duke, not, he was persuaded, intentionally, but in consequence of misconception merely. The Amendment was clear and specific, and peculiarly proper, as it left it to the wisdom and prudence of his Majesty, what terms to offer, or what to accept: But it would not be necessary for him to take up much of their Lordships' time, by entering into a discussion of the expediency of such a proposal for peace, as he intended, in a few days, to bring forward a motion for that purpose; and he would take care it should not be misrepresented, because he would take care that it should not be misunderstood. The subject was of infinite importance to the country, and ought not to be postponed. What he alluded to was a motion for an Address to his Majesty, to desire his Majesty to give directions for a *formal recognition of the French republic.* He professed himself warmly inclined for peace in almost any manner that it could be obtained, and would therefore vote for the Amendment. He not only thought that we could and ought to treat with the present government of France; but would go much further, in order that it might be no longer a doubt or difficulty who we were to treat with, or how we were to treat. He had acquainted his noble relation, the Secretary of State, that it was his intention

tention to make a motion to set that matter in the clearest point of view; and requested he would name the earliest day possible, when it would be convenient to him that it should be brought forward. The noble Secretary had named next Thursday: He therefore gave notice, that on Thursday (23d) he meant to move, that an humble Address be presented to his Majesty, humbly praying that his Majesty would be pleased to give directions to his ministers, in the name of this country to acknowledge the Republic of France:

Lord Grenville said, he had been anxious to hear all the arguments of different noble Lords before he spoke, and he had hoped that every noble Lord would have entered that House with an unanimous determination to support the Address to the crown. At this moment, when the eyes of Europe were turned on their deliberations, their unanimity might show a daring nation that they were resolved to maintain the blessings they enjoyed, and that disunion should not weaken their measures, or slacken their efforts. We have embarked in a war, in which we may naturally hope for the assistance of Providence; but the subject had been argued with so much ability and talents by the noble Earl who moved the Address, and the noble Lord who seconded it, that little indeed remained for him to add. It was true that his noble relation had applied to him, to know when it would suit him to discuss the motion of which his noble relation had just given notice, and, as far as he had power, to name a day: He had said, he had no objection to Thursday. He was obliged to his noble relation, for his intention to bring on the motion; but as it could not be too soon discussed, he was glad it could be taken into consideration on so early a day. At such a crisis it was highly necessary that the members of both Houses should speak on it. With that view it was that his Majesty, in his Speech from the throne, had been so explicit, and so clearly stated the object of the war, the circumstances that had attended it, and the necessity for its continuance. The conduct of noble Lords that day had been extremely satisfactory to his mind; and he had no doubt but it would make a due impression on the nation, while it reflected the highest honour on themselves. His Lordship said, if the war was undefined and undefinable, as the noble Earl who moved the Amendment had stated, the same surely might be said of the Amendment, without injustice. With regard to the objects of the war, and the successes of the campaign, Lord Grenville declared, he did not think it necessary for him to go into any detail that day; he would, therefore, content himself with reminding the House,

House, that on their resolves depended the safety, and perhaps the independence, of Europe: And, he trusted, that the result of their deliberations would furnish a bright page in the annals of their country.

The Marquis of Lansdown said, he considered the present, as the opening of one of the most momentous sessions that had occurred in modern times; that, exhausted as the House was, it was not necessary for him, at that late hour, to take up much of their Lordships time in arguments to justify his giving his vote for the Amendment, and against the Address as originally moved. He meant not, the Marquis said, to avoid the appearance of opposing the war; their Lordships well knew he had declared his opinion on that point distinctly, and assigned his reasons for it most explicitly and unreservedly to that House and to the people last session, when the latter were in the fulness of their delusion. He thought he saw pretty evident marks of a change in the public sentiment, respecting the war. Sure he was, that when men came to reflect coolly, and to give their reason fair play, they would be convinced that the war was unnecessary in its commencement, and highly impolitic in its continuance. That was his opinion, and that opinion he would never be backward to assert and maintain in the face of their Lordships. As for the Speech delivered from the throne, considering it the speech of the ministry, he would declare he should oppose the greater part of it; little, very little of it, was there to which he could give the smallest approbation. The Speech had discovered a secret, viz. that it was a war for nothing: Nothing always cost most: It was generally a purchase paid for ten times over. Hurried into this melancholy war, Heaven knows where it will terminate; for ministers seemed determined to persevere till some firm government was established, or monarchy restored. Noble Lords, in the course of the debate, asserted, that this war was unprecedented; that it was totally different from any other in the history of this country. He could find but one which it strongly resembled, and which was nearly the destruction of England—the war with America. Though this war was carried on perhaps injudiciously, he was certain that was much worse. He would decline at present going into the history of the campaign; he would for that subject chuse a time when their Lordships were not exhausted by long sitting, and wearied by discussion. The ministers say they are ignorant how they should proceed; with whom they should treat. They tell you, my Lords, there is no power in France to treat with, if they were disposed to treat at all. Before they
make

make such assertions, let the King's ministers ask General Wurmser, if there is no existing government in France? Let them ask the Duke of Brunswick and the King of Prussia! Let them ask my Lord Hood, and Sir Gilbert Elliot! Let them ask the royalist army of La Vendée! Let them ask the unfortunate Lyonese! Let them ask the Spaniards, retreating before their arms! All these he was afraid must confess there was a government; and he greatly feared that it would not be long before the Prince of Saxe Cobourg, and the Duke of York, must allow that there was a government in France.

It did not, the Marquis said, require much of the spirit of divination to pronounce a year ago, what would be the fatal, the unavoidable, consequences of involving the country in a war against opinions; the avowed object of which was to repel unprovoked aggressions, but the real one was to prescribe laws to an independent country. Whether the Speech from the throne would remove or confirm the delirium that had been produced in the public mind, he could not take upon him to say; but it certainly contained information that must be acceptable to all that preferred war to peace, and had an interest in supporting the romantic schemes of admiration. The Amendment of the noble Earl did not exactly correspond with his ideas, although he gave it a preference to the Address. The horrid outrages that had been perpetrated in France, particularly in the Island of Noirmoutier, were owing to the delusive hopes the royalists entertained of assistance from this country—They discovered their error when too late. The tragical event that took place, he chose rather to allude to than mention. These outrages, he was sorry to say, seemed to be terminated only by the extermination of one of the contending parties. The Marquis complained of the sort of contempt and personal odium endeavoured to be thrown on the leading characters in the Convention, and said it was similar to the idle conduct that had been held with respect to the Congress in America, during the mischievous war with that country. He said, it was weak and foolish to talk of English morality and English regard for religion, in contradistinction to the conduct and manners of the French republicans. The fast-day was approaching, and though he was not fond of party discourses from the pulpit, he should be glad to hear a good sermon on a text, which he had always considered as one of the best parts of the Scripture, viz. the parable of the Pharisee and the publican.

The

The Earl of Abingdon said, that being come to town to attend his duty in parliament, as one of the hereditary guardians of the constitution of this country, and finding that the address to his Majesty was founded on measures, which alone, in his mind, could effect our political salvation and existence (I mean, said his Lordship, by prosecuting with unremitting vigour and redoubled ardour, the *just* and *holy* war in which we are engaged, just and holy, most truly so on our part), he rose to give the Address his most hearty and cordial support.

The Marquis Townsend made a short speech at the table in support of the Address, and pointed out in a clear manner the impossibility of commencing a negotiation with the present predominant faction in Paris. The Marquis also animadverted on the other topics which had been adverted to in the course of the Address.

The Earl of Lauderdale began with stating the difficulties he felt in rising to speak to the question, but his difficulties did not arise from the want of argument of the noble Earl. They arose from a melancholy reflection on the situation of affairs; from a painful recollection of the rash conduct of the ministry, in not offering an alliance and treaty with France; from the recollection how the ministers of this country treated the negotiations of the republic, and the shameful and indignant manner with which they lost a favourable opportunity for negotiation, *viz.* when Monsieur Chauvelin was here, whom they insulted, although he had been sent by the republic, to enter into an alliance with this country. He felt extremely hurt at being obliged to act differently from the noble Duke (Portland) with whom he had commenced his political career; and he lamented the loss the country received, from the noble Duke's attaching himself to ministry; which, he doubted not, his Grace did on the purest motives; but neither that, nor, he believed, any thing else, could put an end to their private friendship. He said, that the noble Secretary of State had argued little on this important occasion; that he made, it is true, a pompous eulogium on the conduct of his Majesty's ministers and measures, but had quickly passed over every thing relating to the war, every objection he could make to the Amendment. His Lordship apologized for having risen so late, but no lateness of the hour could prevent him from doing his duty, and offer some remarks on the subject. The noble Secretary had said, he wanted to hear every noble Lord to have stated his sentiments before he rose himself; but no noble Lord was

was entitled to say when another noble Lord should speak. He called on the noble Lords to consider the situation of the country, and to recollect how materially different the measures of ministers had been in the last campaign, to what they declared to be their object in the next campaign. The war was engaged in to protect the country of our allies from invasion; that they declared to be the object; but had they kept that in view? His Lordship confessed himself at first puzzled to account for the perverse dereliction of the object which ministers once professed to hold out—but he conjectured the cause might be found in the opinion of a man whose imagination was acknowledged to be as *futile*, as his judgment was notoriously defective. He recommended it to their Lordships to examine the different language of Lord Auckland's memorial, and that held by Lord Hood in his addresses at Toulon. Does (continued his Lordship) the declaration of Lord Hood and Sir Gilbert Elliot at Toulon shew that to be the object which Lord Auckland had stated?—Does the capture of the fortified towns in the Netherlands manifest that to be the only motive? No; it is evident ministers wish to establish the old government, and that the revival of monarchy in France is now what appears to have induced them to persevere in hostilities. But he did not hesitate a moment to assert, that if this was the particular object they had in view, the campaign was conducted with inability by ministry; that they had let slip the only opportunity of effectuating their wish, the time when the Duke of York, and Saxe Cobourg, were successfully advancing into the interior of France. Had they persevered then, had they marched forward to the capital, the Convention might have trembled for their safety, the republic might have shuddered for their existence; but the critical moment was deferred. Their minds were turned to different objects; they omitted the only period for success, and they gave the victorious arms of the republic an opportunity of destroying the only remaining friends of royalty in Brittany and La Vendée.

His Lordship adverted to the wretched state of the royalists in that country, who now suffer the horrors of destructive war, and shudder at the confidence they had placed in the professions of support from England, nearly as much as they did at the introduction of the guillotine into that devoted province. He was sorry that, at this time, the noble Duke should withdraw from the people that support which he ever gave to their interest: Surely it was not the melodious voice of the noble Lord who called to him, that could have induced him

to depart from that line of conduct which had hitherto so eminently distinguished him. If he wished to save the country from the precipice of ruin, he ought to oppose the government, and give his support to the amendment. The noble Duke asserted that this war was different from any we were ever engaged in, that its object was the support of religion and happiness, and that it was solely defensive. For his part, he had never dreaded the introduction of French principles in this country; but as to the latter assertion, could the noble Duke be serious, when he said, that the capture of the fortified towns in the Netherlands shewed the war to be defensive? Does the attempt of sending troops into the West demonstrate that such was their object? Does the capture of Toulon, and the consequent declaration, shew it to be the motive? No! the establishment of monarchy in France is the secret object which ministry undertook to effectuate; but each day might convince them of their error, of the little ground of expectation there was to warrant their indulging in the vain idea of being able to accomplish such an event. What, he asked, was the situation of the republic now, compared with what it was when we embarked in this ruinous war? The resources of Austria, of Prussia, and of England, were greater; but the enemies of France were more numerous; now their internal enemies are destroyed, we can hope for nothing in the quarter of the royalists: The disaffected city of Lyons is razed; the inhabitants exposed to misery, executed, or dragging on an existence in dungeons; Toulon is recovered: In a word, no internal enemies distract and weaken their exertions. The popular idea, the only argument made use of by the ministry of the country, that which seemed to contain the very marrow of that on which they relied, was the difficulty and the dangers of treating with the government in France. This was the argument made use of when the rashness of former ministers had brought England to the verge of ruin during the American war. He reprehended the style in which the leaders in the Convention were treated in this country, and said, it was like the style adopted with respect to the leaders in America during the last war. What! it was said by the minister then, is the British nation to stoop to treat with Hancock and his crew? What! say ministry now, shall the nation treat with Robespierre? They were obliged to treat with that same Hancock and his crew, whom they had affected to despise; and they must, ere long, enter into alliance with some of those against whom they now so loudly inveigh; but, my
Lords,

Lords, though it is irrelevant now, the consequences of this war cannot be passed by; consequences so lamentable, that you cannot but shudder when you hear that the alarm of fear, which was spread by the ministry, became the object of criminal persecution in this country. The revolutionary tribunal in France is looked on with horror and disgust; but what has been the conduct of the criminal courts in Great Britain, particularly on a recent occasion in a distant part of the kingdom? Have you not heard of the most extraordinary sentences? Were such cruelties ever remembered in the history of our country? Are these what can induce the people to admire the constitution? Are these what can warm them to its support? What man could venerate or respect that constitution which must be protected by the friend becoming a spy on the actions of his neighbour, and the hours of domestic conviviality subject to a state inquisition? But, my Lords, this business is not confined to this kingdom; in that country to which I belong, the courts of justice have exceeded every thing that imagination could picture; but the singularity of their proceedings shall be an object of future scrutiny. I will bring their conduct under investigation, and shew you that this is one of the consequences of this ruinous war. The writings of Mr. Paine, which for two years were let pass with impunity, were at last attacked by the provident ministry, and the most horrible persecutions were entered into to support their impolitic ambition. But what was it, my Lords, that brought about that revolution which we so often lament? It was the enormous severity of punishments; it was the dreadful oppression of the poor. Does the minister of this country proceed the right way to prevent the introduction of French principles? He embarks in the war which weighs down the people with taxation; and he introduces a system of severity which must make them detest, not admire, the constitution we all are so proud to boast of. His Lordship dwelt on what he termed the misconduct of the war, the expensive establishment at Toulon, which ministers knew must be evacuated; and it was therefore a waste of the public money. He considered the treatment of the Duke of Tuscany by administration as altogether scandalous and indefensible; it was a species of conduct that had been revived now, for the first time, after it had lain by dormant and condemned for near a century. What right had we to charge that Prince with want of family affection? What had been the consequence of the former interferences in two known instances? No less than the death of

that relation, for whose safety they had interfered. After a long speech, containing many more pointed observations, his Lordship said, I agree with a noble Earl, that "the eyes of Europe are fixed on us at this moment:" We should shew, by the decision of this night, by the support we give the Amendment, that in Englishmen there continues that true greatness of mind, that would wish to put a stop to the inhuman deluge of blood, which disgraces the powers of Europe engaged in this unjust, unnatural, and impolitic war.

Lord Carlisle desired to be heard, in order to notice what had been said by the last noble Lord. He was not afraid, he said, that it would make much impression on the House; but it might have some effect on the public without doors, if not set to rights: It was on that account that it deserved an answer.

His Majesty's ministers had been charged with having neglected their duty, in having refused to negotiate with M. Chauvelin for securing the continuance of peace with France; but M. Chauvelin had no powers to treat for, or secure peace. M. Chauvelin had come to this country merely to disseminate sedition, not to negotiate peace: But all his attempts were vain; he found the people loyal, satisfied, and happy; and returned to France with the unwelcome report, that it was impossible to prevail on British subjects to lessen their affection for their Sovereign, and love for their constitution.

The Amendment to the Address, his Lordship said, conveyed an unwarrantable reflection on his Majesty's ministers. Its object was to recommend a speedy peace with France, as if they did not desire it; and were they not anxious to conclude it the moment there was an opening for a permanent and secure peace? But could such a peace be negotiated with men who set religion and every moral obligation at open defiance? who gloried in atheism?

Lord Grenville rose a second time, and hoped that every noble Lord would have spoken. His Lordship threw a variety of new lights upon the subject of the debate. He acknowledged it was not surprising, that the noble Earl [Lauderdale] could not reply to arguments he had not adduced; but he would, thus called upon, enter pretty fully into the question, that he might reply to certain assertions which had been frequently urged in the course, of that night. His Lordship said, he wished the noble Earl had not ventured to question the conduct of the criminal courts of a distant part of the kingdom, if he had not thought proper or intended to bring the charge forward in such a shape as would admit of full information

respecting

respecting it, and a fair and ample discussion. Whenever that should be the case, he pledged himself to shew that in no instance had the laws been wrested for any vindictive purpose—They had been *exerted*, but not stretched; and the occasions had been such as sufficiently called for the vengeance of an insulted constitution. There would, he hoped, be a future opportunity for going thoroughly into an investigation of the business.

The principal point under discussion, his Lordship said, was the question that had been so frequently repeated, "With whom were we to treat?" He would give their Lordships a satisfaction more complete on that point than any surmises or arguments he could himself advance; he would give them the opinion of M. Brissot, a man confessedly at the head of a powerful party, that of the Girondists, whose policy brought the unhappy Monarch of France to the scaffold, and whose crime had been stated by Robespierre to be no less than the plunging of France into a war with this country.

The Executive Power, then, according to M. Brissot, is "any sanguinary monster, who, in the revolutionary insurrection of a mob, is the most ferocious and the most unprincipled." If we could have acceded to terms proposed by M. Brissot, can we suppose that M. Robespierre would not have found it easy to convert into criminal accusation the making peace with a tyrant (for such they had infamously styled his Majesty), in direct opposition to the will of the Convention, who had declared it death to propose to treat with any power, till that power had first acknowledged the sovereignty of the nation, and the justice and propriety of the principles they had established? And could we admit to negotiate with such persons on such grounds? Impossible!

What, said his Lordship, was the opinion of M. Brissot as to our aversion to negotiate? Hear his own words—"The absurd and impolitic decree of the 19th of November, which very justly excited uneasiness in foreign cabinets"—Here you have a justification, by the author of the war, of the feelings and the conduct of the allied powers. He adds, throwing the infamy of that act upon the *Anarchists*, "the death of the King is an impolitic measure, which, with the massacres of the 2d of September, alienated from them all the neutral powers."

At the very moment we were amused with the hopes of peace, Dumourier was preparing to invade Holland. The Executive Council of France only desired him to drive the Austrians from the Rhine, as a preparatory step, and the conquest of Holland would have followed of course. The
plunder

plunder they were to collect in Holland was to have enabled them to have carried on their schemes of subverting every other government; and M. Brissot has confessed, that the vast wealth that was to be acquired, was for the purpose of enriching the tyrants that ruled France.

If we had been even inclined to descend to negotiate with the present men in power, M. Robespierre would tell you, that you could not do so, unless certain previous stipulations were complied with. By a decree of the Convention, France cannot make peace with any power who holds one foot of her territory; previously therefore to a negotiation, the allies must have given up the fortresses they have taken; they must have given up Brabant; and Savoy and Nice must have been put in possession of the republicans. In the West Indies we must have abandoned Cape Nicola Mole; and in the East we must have evacuated Pondicherry, and every other conquest which happily manifests that their power in India is for ever annihilated.

His Lordship then proceeded to shew the nature of the revolutionary power, according to the opinions of M. Brissot, which proved, that it struck at every thing like authority and order, and that the sinews of its power were imprisonment, confiscation, rapine, and massacre.

The noble Earl, he observed, seemed to be completely unacquainted with the present state of France. If he thought that the people were unanimous in any thing, he would tell him, that, from the commencement of the revolution, a period of more violent dissension never existed; nor were the minds of men ever more averse to what pretends to be the executive power of the country than they were at this moment. In Paris there now existed two factions, as much at open variance as the Brissotines and the Mountain had been. The Commune of Paris and the leaders of the Convention were engaged in a violent struggle for the executive power.

Notwithstanding the dreadful denunciations of the merchants, and every description of persons one degree better than the *Sans Culottes*, of Bourdeaux, at Marseilles, and at Lyons, so little dependance can they place on the real feelings and attachment of the people, that at Lyons, for instance, not one wretch could be found sufficiently depraved for their confidence, and Paris was obliged to send and supply the municipal officers of the south. In the capital two committees, as he had stated, were struggling for the ascendancy; and they were deceived, who imagine that the faction, which had discomfited Brissot, might not speedily fall before a more
bloody

bloody rival. That the present successful men perceive the same necessity for order as their predecessors, and labour to obtain it, is so ludicrously proved, that, to the astonishment and laughter of all mankind, we find the merciful Robespierre become the advocate of the Christian religion.

Men formerly thought themselves eminently successful in the cause of freedom when they destroyed the Bastille: At the time of its demolition it was a memorable fact, that only two state prisoners were found in it. Look at the prisons of France at the present moment, crowded with unhappy wretches, whose riches constitute their greatest crimes. In all more than two hundred thousand persons have been made the victims of suspicion and the revolutionary power. In Paris, the gaols, the abbeys, every den which they can convert to the safeguard of the only men of worth in France, is full of those unhappy objects of a diabolical vengeance, and about 5000 persons now languish in the dungeons of Paris. Nay, a late and well-known event may shew in a most glaring light, the total indifference to even the miserable forms of justice remaining. A great number of the unfortunate wives, &c. of those unhappy prisoners came in a body to the bar of the Convention, to beseech that their relatives might have the common justice of trial afforded them, that if guilty, they might be punished, but if innocent, restored to their homes; then they were admonished, after some fulsome allusions to the mother of the *Gracchi*, to employ their time better than to think about the destiny of suspected persons. But as something was to be done, a motion was made to refer their cases to the investigation of the *Commissée du Salut Publique*. This was negatived; for it was impossible for patriot citizens to spare sufficient time for so humiliating a task; it was therefore decreed that two members taken from their society, should, just when they had nothing better to do, inquire whether any of them were worth saving, and report accordingly. Thus, in defiance of every principle of law and justice, these persecuted beings were delivered up to the savage judgment of the very men by whose arbitrary authority they were originally compelled to people their prisons.

Lord Grenville, in the course of his reasoning upon the different parts of M. Brissot's address to his constituents of the Eure and Loire, contrasted them with the various statements made by Brissot to the Convention, at the commencement of the present year, in his reports delivered in his capacity of chairman of the *Commissée Diplomatique*; from whence it appeared, that the colouring put upon the most important facts,

particularly with respect to the views and objects of the Convention in relation to the government imposed upon the people of Belgium, and in reference to their conduct to foreign powers, and the means of effecting their purpose in each particular, was totally false and delusive; and that the reports altogether might justly be considered as one continued mass of gross imposition on the public of France, with a view to further the interests and aims of the Girondists (at that time the prevailing faction in the Convention) since Brissot in his celebrated address to his constituents explains the whole mystery, and openly confesses that such fallacies were practised, in order to mislead the people, and establish the tyranny of the rulers of France. In this part of his speech (and it was by much the longest and most essential) Lord Grenville displayed uncommon ability and powers of reasoning. He first read the chosen passages from the diplomatic reports of Brissot, and, after some pointed and illustrative observations, stated the different manner in which Brissot explained the real facts, and commented upon them, in his recently printed address of May last; but as we are not in possession of the papers containing the diplomatic reports of Brissot, it would be a vain attempt to endeavour to follow his Lordship in detail through this very important and very able part of a speech, more remarkable for clearness and address, where the task was in itself complex and difficult, than any speech we ever listened to.

His Lordship concluded with declaring, that he entertained, on what he deemed reasonable grounds, the firmest confidence in the ultimate success of the Allies; and that, feeling the noble task which that House was then met to perform, he deduced from the decision of that night, and the blessing of Providence upon their councils, the restoration of order and government to France; and the preservation of the laws, the religion, and the liberties of Europe.

The Earl of Lauderdale rose to explain. His Lordship declared, he was so far a friend to the doctrine of equality, that in that House he would ever insist on liberty of speech. He had as much right to deliver his sentiments at one time of a debate as at another, and no noble Lord, whether a minister or not, was entitled to dictate to him as to the mode in which he thought proper to discharge his parliamentary duty. With regard to what the noble Lord had said, respecting the allusion he had made to the conduct of a criminal court in Scotland, he was a little surprised, because if he were better known for any one part of his conduct in Parliament than another, he trusted

trusted it was, for not blinking any question of importance, but meeting it in the most open and direct way. He might hardly have been supposed to mention the conduct of the criminal courts of justice in Scotland, if he had not meant to bring the subject forward in a regular shape, as soon as he was perfectly prepared to do so. Such was his intention, when it was convenient to himself. His Lordship added a few more words to prove, that the noble Secretary, in declaring that the republicans of France had passed a decree subjecting those persons to the penalty of death, who made peace with any Power that held a foot of the dominions of France, had been guilty of a mistake, and confounded the idea of that decree, by substituting the words "make peace," for "treat for peace." His Lordship also repeated, that his noble friend's amendment only generally mentioned that his Majesty might be addressed to propose terms of peace, without stating or limiting his Majesty to propose any *precise* terms.

The Lord Chancellor left the woofsack, not, he said, with any intention, at that late hour, to go into a discussion of the subject at large. After the very able manner in which that had been treated by his noble friend near him (Lord Auckland), by the noble Secretary of State, and by many other noble Lords, any observations of his on the propriety and good sense of his Majesty's Speech, or of the Address moved in answer to it, would be wholly unnecessary and superfluous. He troubled their Lordships merely to take notice of a matter, which he doubted not their Lordships would go with him in considering of more weighty importance than even any further discussion of the Speech from the Throne, great and important as that consideration undeniably was. He rose for the purpose of vindicating the character of the judges of the criminal court in Scotland, who had not been made the subject of a direct accusation, which would admit of investigation, discussion, and defence, but in an indirect, incidental, and secondary way, had been attacked in the nicest and most delicate point, that any man bearing the serious, solemn, and important character of a judge, could possibly feel. The noble Secretary of State had taken immediate and proper notice of so unjust a charge, and the noble Earl (who had thought proper obliquely to allude to him, although the noble Earl well knew that he was ready at all times to meet any direct charge) had condescended to say, that he intended to bring the matter forward in a regular shape; but he had neither mentioned the time when he would do so, nor the facts on which he grounded his suggestion.

The Lord Chancellor defended and justified the conduct of the judges of the criminal courts of justice in Scotland, and declared, that their sentence in the case alluded to, had been clearly and strictly consonant to law, and precisely apposite to the occasion. He had himself been in the situation of a judge, and he could not but feel for men of that description, when unfairly and injuriously attacked. With several of them he had long lived in the habits of intimacy and friendship, and he knew them well to be men of great abilities, and of integrity equal to their abilities; incapable of being biassed by favours or frowns. And as the characters of the venerable judges who composed the criminal court of justice in Scotland ought to place them above suspicion, he trusted that their Lordships would forgive him for having detained the House at so late an hour, by the summary discharge of an indispensable part of his duty, in standing up in the defence of learned and respectable men, attacked in their absence, when there was not a possibility of their defending themselves.

The Earl of Lauderdale said, he was extremely unfortunate in being so often obliged to trouble their Lordships, but it seemed to be his fate that day to be misunderstood. His Lordship then assured the House, that he would give the noble and learned Lord an ample opportunity of defending himself; and surely the noble Lord had not to learn, that he was the last man living, who would skulk from or blink any subject, which he had once thought it right to mention in that House. With regard to what he had said of the criminal court in Scotland, he had not wantonly stated it. He had taken great pains already to make himself master of the case, and had possessed himself of as many documents as would take up a considerable time in reading to the House; and as soon as he was prepared, he should bring the subject forward in a shape capable of full discussion; but not being a professional man, at least not having practised, it could not be supposed that he could of a sudden complete such an arrangement as their Lordships must all see was necessary on so serious a subject. He reminded the House, that he was entitled to take it for granted, that he was not considered as a man prone to make illiberal or wanton attacks on judges, since he defied any one of their Lordships to shew that he had conducted himself with greater delicacy, than he (Lord L.) had done in the case of the Libel Bill, when the nature of the subject necessarily rendered it so natural to advert to such considerations.

The Lord Chancellor again left the woolpack, to remind their Lordships that the conduct of the judges of Scotland, after what

what had passed, did not stand at all impeached. Their judgments, it would be found, were correct and unquestionable. Their own admitted knowledge of law would prevent them from any imputation of having acted illegally, through ignorance; and their characters, their habits, their tempers, and the mode in which they were well known to have conducted themselves on all occasions, exempted them from the suspicion of having been led aside from their usual prudence by any motives of the moment, or of having forgotten to temper justice with mercy.

The House at length divided on the question of Amendment:

Contents	12
Non Contents	97
Majority	85

The main Question of the Address was then agreed to. The following are the names of the Peers who voted for the Amendment to the Address:

Duke of Norfolk	Earl of Lauderdale	Earl Stanhope
Duke of Bedford	Earl of Cholmondely	Earl Egmont
Marquis of Lansdown	Earl of Guildford	Lord St. John
Earl of Derby	Earl of Albemarle	Lord Chedwerth.

On the motion of *Earl Stanhope*, their Lordships were ordered to be summoned on Thursday the 23d.—Adjourned at half past twelve.

WEDNESDAY, January 22.

This day the Lords presented their Address to his Majesty at St. James's.

*The Humble ADDRESS of the Right Honourable the LORDS
Spiritual and Temporal, in Parliament assembled.*

Die Martis, 21 Januarii, 1794.

" Most Gracious Sovereign,

*" WE, your Majesty's most dutiful and loyal subjects, the
" Lords Spiritual and Temporal, in Parliament assembled, beg
" leave to return your Majesty our humble thanks for your
" Majesty's most gracious Speech from the throne.*

*" Permit us to assure your Majesty, that we shall enter with
" the most serious attention into the consideration of the
" present circumstances of our country, knowing that on the
" issue of the contest in which we are engaged depend the
" maintenance of our constitution, laws, and religion, and the
" security of all civil society.*

G 2

" We

“ We congratulate your Majesty on the advantages which
 “ have been obtained by the arms of the allied powers, and
 “ on the favourable change which has taken place in the general
 “ situation of Europe, since the commencement of the war.
 “ We have seen with great satisfaction the United Provinces
 “ protected from invasion, the Austrian Netherlands recovered
 “ and maintained, and places of considerable importance acquired
 “ on the frontiers of France: We consider the recapture of
 “ Mentz, and the subsequent successes of the allied
 “ armies on the Rhine, as having, notwithstanding the late
 “ advantages of the enemy in that quarter, proved highly beneficial
 “ to the common cause; and we are also justly sensible
 “ of the powerful efforts which have been made by your Majesty’s
 “ allies in the South of Europe.

“ We reflect with particular satisfaction on the manner in
 “ which the operations of your Majesty’s enemies have been
 “ impeded, during so great a part of the campaign, by the
 “ temporary possession of the town and port of Toulon; on the
 “ important and decisive blow which in the evacuation of that
 “ place has been given to their naval power; and on the distinguished
 “ conduct, abilities, and spirit manifested on that
 “ occasion by your Majesty’s commanders, officers, and forces
 “ both by sea and land.

“ We beg leave to express the satisfaction which we also
 “ feel in seeing that, during the course of the present year, the
 “ French have been driven from their possessions and fishery
 “ at Newfoundland; that important and valuable acquisitions
 “ have been made both in the East and West Indies; and that
 “ while our naval superiority has been undisputed, our commerce
 “ has been so fully and effectually protected.

“ We can assure your Majesty that we are strongly impressed
 “ both with the necessity of vigorous and persevering exertions,
 “ and with the expectations of ultimate success, from the consideration
 “ of the means by which the further progress of the allies has
 “ hitherto been impeded, and of the system from which our
 “ enemies have derived the means of temporary exertion; such a
 “ system, disposing arbitrarily of the lives and property of a
 “ numerous people, and violating every restraint of justice,
 “ humanity, and religion, has necessarily been productive of
 “ internal discontent and confusion, and has tended rapidly to
 “ exhaust the natural and real strength of that country.

“ While we join with your Majesty in regretting the necessary
 “ continuance of the war, we are confident that your Majesty’s
 “ concern for the essential interests of your people
 “ will

“ will induce your Majesty to persevere in the pursuit of those
“ objects by which alone the solid blessings of peace can be
“ secured; and to take such measures as may most effectually
“ provide for the permanent safety of your Majesty’s people,
“ and for the independence and security of Europe. It is im-
“ possible for us not to see that the attainment of these ends is
“ still obstructed by the prevalence of a system in France,
“ equally incompatible with the happiness of that country,
“ and with the tranquillity of all other nations; and, under
“ this impression, we fully concur in the just and benevolent
“ sentiments manifested in the declaration which your Ma-
“ jesty has graciously been pleased to communicate to us; and
“ we have seen with the utmost satisfaction so large a part of
“ Europe united in a cause of such general concern.

“ We acknowledge, with pride and gratitude, the gracious
“ manner in which your Majesty is pleased to express your
“ Majesty’s sense of the unshaken loyalty and firm attachment
“ to the established constitution and government, which, not-
“ withstanding the continued efforts employed to mislead and
“ to seduce, have been so generally prevalent among all ranks
“ of your Majesty’s subjects. The zeal and alacrity of the mi-
“ litia, and the distinguished bravery displayed on every occa-
“ sion by your Majesty’s forces both by sea and land, have af-
“ forded eminent proofs of the same spirit which pervades and
“ animates every class of the nation; and encouraged as your
“ Majesty’s forces have been by the distinguished example of
“ your Majesty’s illustrious progeny, and by the sense of the
“ blessings which it is the object of all our exertions to pre-
“ serve, they have maintained the lustre of the British name,
“ and have shewn themselves worthy of the cause in which
“ they are employed.

“ We intreat your Majesty to be persuaded, that, in all
“ our deliberations, we shall bear in mind the true grounds
“ and origin of the war. We remember with just indignation
“ the attack made on your Majesty and your Majesty’s allies,
“ grounded on principles which tend to destroy all property,
“ to subvert the laws and religion of every civilized nation,
“ and to introduce universally that wild and destructive system
“ of rapine, anarchy, and impiety, the effects of which, as
“ they have already been manifested in France, furnish a
“ dreadful but useful lesson to the present age and to pos-
“ terity.

“ We will on our parts persevere with union and vigour in
“ our exertions, sensible that by discontinuing or relaxing the
“ present efforts, we could hardly procure even a short interval
“ of

“ of delusive repose, and could certainly never obtain either security or peace. Deeply impressed with the necessity of defending all that is most dear to us, and relying with confidence on the valour and resources of our country, on the combined efforts of so large a part of Europe, and above all, on the incontestable justice of our cause, we will afford to your Majesty all possible support in the just and necessary system in which your Majesty is embarked; and we trust that all classes of your Majesty's subjects will endeavour, by cultivating and practising the principles of humanity and the duties of religion, to merit the continuance of the divine favour and protection, which have been so eminently experienced by these kingdoms.”

His Majesty's most gracious Answer.

“ *My Lords,*

“ I return you my warmest acknowledgments for this very dutiful and loyal Address. The sentiments you express respecting the present important situation of public affairs, and the zeal and union you have manifested in support of those measures, which can alone tend to maintain the dearest interests of my people, and to secure the tranquillity and independence of Europe, cannot fail of procuring the happiest effects both at home and abroad. You may be assured, that nothing shall be wanting on my part to employ with energy and vigour, in a cause of such deep concern, those resources which I derive from the wisdom and firmness of my Parliament, and from the general attachment of my people to the constitution and government of their country, and to the interests of humanity, order, and religion, throughout all Europe.”

HOUSE OF COMMONS.

TUESDAY, Jan. 21.

Soon after the *Speaker* had entered the House (about three o'clock) the Usher of the Black Rod appeared, and summoned the House, with their *Speaker*, to attend his Majesty in the House of Peers, which was instantly complied with.

On his return, the *Speaker*, having disrobed, informed the House, that, in pursuance of the powers vested in him, he had caused new writs to be issued for the Boroughs of Higham Ferrers and Horsham, in the stead of *John Lee*, and *James Baillie*, Esquires, deceased.

Several

Several members were sworn in, among whom were *Mr. Secretary Dundas*, *Mr. Jenkinson*, *Mr. E. Eliot*, *Mr. John Anstruther*, and *Mr. Canning*.

Mr. Dundas presented Copies of the different Conventions and Treaties concluded between the month of July and the month of December last, between his Majesty, and the Kings of Spain, of the Two Sicilies, of Prussia, the Queen of Portugal, the Emperor, the Margrave of Baden, and the Landgrave of Hesse Cassel; and also his Majesty's Declaration addressed to the People of France.—Ordered to lie on the Table.

Major Maitland moved, that they might be printed for the use of the members; *Mr. Secretary Dundas* informed him that they were printing.

The Bill to prevent Clandestine Outlawries was as usual read a first and second time.

Copies of the Declaration of his Majesty's ministers of the 29th of October last, and of Lord Hood's Declaration to the Inhabitants of Toulon, were ordered to lie on the Table.

ADDRESS.

Lord Clifden rose to propose an Address to his Majesty. His Lordship began with a handsome apology for the inadequacy of his abilities, and declared he would not long trespass on the patience of the House, but felt somewhat emboldened, by the consciousness of feeling, that what he had to propose, under the present circumstances of the times, could challenge but little, if any objection; indeed he flattered himself the House would pass an unanimous vote on the occasion; and one reason why he felt so was, that the motion he should have the honour to submit to the House, went only to acknowledge doctrines that were incontrovertible, and to admit facts that were notorious. None could oppose the Address, he thought, who did not maintain that we were to act the base part of deserting our allies, and make peace, or at least endeavour so to do, without their concurrence; a measure fraught with too much infamy and too many dangerous consequences to admit of defence. The enormous and alarming power of France was at once, he contended, both the offspring and parent of misery and mischief; massacre and rapine were the means of effecting her ambition, and the fatal consequences of her dominion. If, therefore, we were to permit the existing grand alliance of Europe to dissolve, this consequence would ensue—France, in her present situation, being more than a match for the powers of Europe separately, would in turn over-run the Continent,

ment, and having there universally spread her frantic system of desolation, would at length bring her destructive principles into full operation in this island. We might not be the first sacrifice; but assuredly neither we nor any existing power in Europe could long escape her merciless dominion: No one, he thought, could doubt of this, who considered the present character of France, as evinced both in her avowed principles, her deceitful professions, and her public conduct.

Peace, every friend to his country most certainly wished for; but it must be a peace in fact, and not in semblance only; a peace of permanency, not a temporary and delusive repose. At present it was not to be obtained with safety; and any suspension of hostility would in the end undeniably prove a most destructive delusion. Among the many acts of horrid atrocity in which the present Convention of France gloried, it was impossible, his Lordship said, not to remark one, which partook, however, of the attribute of justice. Brissot and his faction projected and effected the murder of his Sovereign, and the destruction of monarchy. Brissot, and the accomplices of his deeds, had recently perished on the scaffold which they had themselves erected and supplied with victims. In this fact, he saw not only a strong instance of justice, but a well-timed warning to those who might think lightly of monarchy; an establishment, under proper limitations, so essential to the security of property, and the protection of individuals. It was no small satisfaction, he declared, to find the sense of the people of this country in general so consonant to sound reason and their true interests. The protection which the constitution afforded them, they gratefully repaid by the most sincere loyalty, the most unfeigned attachment, and the most becoming submission to due subordination and order. All the malicious endeavours of the disaffected had failed; the good sense and honest disposition of Englishmen had been proof against all attempts to infuse sedition into their minds and to excite them to encourage proceedings tending to anarchy and revolt against the established government.

The wise and vigorous measures adopted in the last Session, his Lordship said, had been productive of the most beneficial consequences to the peace and prosperity of this kingdom; by them the Jacobinical factions, which had been engendered by art, and still lurked among us, had been expelled. In Ireland, efforts no less daring and violent had been resorted to by the same agents, or those actuated by the same principles; but the power of reason rose pre-eminent over the intrigues of villany and anarchy, and the tranquillity of these countries

countries were now, he trusted, happily secured from all violation or chance of being disturbed and overthrown. To render that tranquillity permanent, to maintain our national honour and character, and to make the whole civilized race happy, were objects which, he had no doubt, a firm perseverance in the war would effectually secure.

The war, his Lordship contended, was not only just and politic, but forced on us by a necessity which left us no option.

The circumstances of the war, he said, were neither discouraging in themselves nor dishonourable in effect. The territories of our allies had been, since the period of our being forced, by every possible aggravation, and by every principle of self-defence, to take part in it, restored and protected; our commerce had suffered no material curtailment; the disposition of a great majority of the people, he was sensible, was friendly to the laudable pursuit of suppressing the dreadful reign of outrage, bloodshed, and rapine; and the system on which our sanguinary foes carried on the war, could not be of long duration, as their desperate resources must have their limits. They declared war, and commenced hostility. The late temporary success of France on the Rhine had again demonstrated her principles, and the views of her advocates at home. Wherever she conquers, her armies shew the same spirit of pillage and devastation they shewed last year in the Netherlands; while at home, we find, on the first news of her success, the enemies of our constitution creep out again like beasts of prey from their secret dens. He hoped, and doubted not, however, that every attempt of this nature would instantly be crushed by the united spirit and loyalty of the people. After other pertinent observations, his Lordship concluded by reading the Address he moved, which, as usual, was an echo to his Majesty's Speech, adopting the principles, and admitting the facts it contained.

Sir Peter Burrell rose to second the motion. He declared, that he should not have come forward, on the present occasion, in so conspicuous an undertaking as that of seconding the Address, did he not feel a thorough conviction that it behoved every man, who entertained a wish for the well-being of society, the protection of his country, his liberty, his laws, and his property, and who held in abhorrence acts the most atrocious and sanguinary that ever disgraced the human race, boldly and unequivocally to come forward and avow his principles. Engaged, as we were, in a war with an enemy who reviled all social and moral ties, who had declared eternal hostility against

every fixed system of government, and whose unprincipled and desperate efforts at universal dominion threatened the well-being of every orderly state, and the very existence of civilized man; how could a peace, at such a time, be proposed consistent with the welfare of this kingdom, and the protection of his Majesty's allies? To make a separate peace would be incompatible with the character of Englishmen, who, true to their faith and their treaties, will not forsake those powers who are engaged in the cause of mankind, whose territories in that case must, ere long, become provinces to France, and be subjected to their unbounded ambition and cruelty, in which case this country must be liable to the insults, oppression, and finally, perhaps, to the dominion of an implacable, inveterate, and, he would add, natural enemy, whose government is founded on bloodshed and rapine. It was no common enemy we were to apprehend and guard ourselves against in the French nation. Revenge, and not possession, was the object of their efforts; to destroy, not to enjoy, their pursuit; nor would success alter their principles. The present war could not be viewed in the partial light of a contest between England and France; nor could any interested motives in the prosecution of it be possibly ascribed to us; it was a war of almost all the powers of Europe against a set of vile usurpers, who, to accomplish their projects, respect neither man nor property, and are laying their own fertile and beautiful country in ruins; who have destroyed religion in the expulsion of their clergy, and the open avowal of their infidel principles; who have banished order by the abolition of distinctions and necessary gradations; who deem the success of the merchant, in the acquirement of property by his industry, an act of treason; who bring to the *guillotine* all men of wealth; who oblige the tradesman and shopkeeper to dispose of their articles at prices arbitrarily fixed by their agents; and whose mode of taxation is one invariable system of plunder and robbery. Such was the example which the common enemy of mankind displayed at this moment, to an astonished, affrighted world; but, to give a just picture of all their iniquities, it would be necessary for him, he said, to enumerate the various circumstances which had occurred since the commencement of the revolution in that country.

It had been expected, that the light of order would gradually have broken in on the stormy clouds of the revolution; but this hope was vanished. The actors were changed, but the scenes continued the same. The theories of *Marat*, from which France herself shrunk with horror, when they were first

first broached, were realized and carried into practice. The execution of their fellow-citizens constituted the chief amusement of the people.

The views of the French rulers soon disclosed themselves after the memorable battle of *Jemappe*. They at once avowed their intention to erect a sovereign power on the ruins of civilized society. The nation, loved by some, feared by many, and imitated by more, had sunk since that period into the lowest debasement. If we had been cajoled by them in 1792, what would have been our situation at the present moment, when Brissot and the rulers of that moment were no more? The French nation had since that time declared their purpose of waging a war of extermination against this country. Their inclination in this instance happily outran their power.

If a peace were desirable with such men, it had not yet been stated how this peace was to be obtained. Were we to solicit their forgiveness? We should find in this case something to deter us in the example of the city of Lyons. The late successes of the French were not to be regarded as an object of surprise, where the property and the personal services of the subject were equally at the command of the ruling powers. It was not to be expected that the allies could in the first instance have resisted a movement of this extraordinary description. It should serve only to put them on their guard, as there was unhappily no part of Europe sufficiently out of the reach of their sudden excursions. It became Englishmen particularly to consider, that, in the safety of Europe, that of our island was involved; and that, if the Netherlands fell a prey to the French, our cause might be considered as lost!

England, at the opening of the present war, was not sufficiently prepared, and for a very extraordinary reason. All parties had agreed, that our peace establishment should be reduced to its lowest standard, on the ground that nothing was now to be feared from France, the ancient enemy of this country!—The relative situation of both countries was within the last year completely changed. We were now in a state of vigour and active preparation. France had been nearly driven within her proper boundaries. Her country was at present the theatre of war, and the means intended for aggression she had been obliged to convert to the purpose of her own defence. In this respect only were circumstances changed. Her dispositions were still the same; ruin and revenge were still her objects, and terror was still her means! Great Britain, always renowned for the brilliancy of her achievements, and which, since the commencement of the present war, had displayed

acts of bravery, courage, and generosity, that will ever live to her honour; shall she bow to the savage barbarity of her foes, when the means of conquest, and a glorious issue to the war, presents itself to her view? Convinced that such means were within our province, in concert with our allies, he should conclude with giving his hearty assent to the motion of thanks.

Mr. Sullivan said, that he could not give a silent vote on this truly important occasion. The motives for commencing the war, in his opinion, still continued in full force. If France had depended on her regular resources, she must before this time have been subdued. Their means of supporting it were most extraordinary and most unnatural. It was like a convulsive effort in the human frame, which, though powerful at the moment, tended in the end but to weaken and enervate.

Lord Wycombe avowed that he was one of those who, last session, when the question of war was brought forward, were of opinion that it was a measure unnecessary and impolitic, convinced that the objects of it were attainable by negotiation, and that good and salutary provisions might have been procured by us for the oppressed, and protection for the innocent. He thought at that time, and still continued to think, that by so doing, we should have prevented, through our influence, the fate of the unfortunate Monarch and his Queen, which was now so much the object of our condemnation and pity. Since that period, he had properly matured his ideas, and could find no one circumstance that had occurred to induce him to alter his opinion on the subject; on the contrary, he thought every recent event had proved it to have been well founded; and the ill success which had attended our arms on the Continent, in several expeditions, afforded but a distant prospect of our efforts being ultimately crowned with success; and the *real* objects of it were every day moved still farther from our attainment. Notwithstanding the interpretations of success given to our various concerns in the war, he should boldly say, that, far from subscribing to this fond doctrine, he considered the arms of Great Britain as having experienced defeats, and (through the imbecility of his Majesty's ministers) misfortunes of the most discouraging nature. When the idea was first brought forward of a war with France, the general opinion was, that the British navy, without comparison the greatest and most complete in the world, would ride victorious over the seas, and shortly annihilate that of France, reduced in its strength by a diminution of its number, and the defection of its officers; in which, however, we are proved to have

have been mistaken; for, notwithstanding the superiority of its force, the seas remain unprotected, and our trade and commerce are daily suffering by the captures made by the French, particularly on the Newfoundland coast; and from the river St. Lawrence to the Gulph of Florida. Our first expedition against Martinique was conducted in such a manner as he trusted would excite further inquiry and investigation. Jamaica was left unprotected to meet its fate. In the next place, the unprotected situation of our trade and possessions along the whole coast of North America, &c. required attention. When we consider the nature of our West India trade, the produce of those islands coming home from them along the whole American coast, what shall we say to the French having the uninterrupted and undisturbed command of that extensive range? But for the insubordination of the French crews, Newfoundland, Halifax, and our other possessions in that part of the world, would most probably have fallen a sacrifice to the force which was fitted out against them. Of the Channel fleet and its operations, his Lordship would forbear saying any thing at present, as his Lordship purposed making that a subject of distinct inquiry hereafter. The expedition unfortunately undertaken against Dunkirk, he could take upon him to affirm, was contrary to the opinion of the best-informed men on the subject; and that the only fruit that had resulted from it, was the unfortunate circumstance of having weakened our allies, and exposed ourselves to disgrace. To the expedition against Toulon, similar reprehension would be found to attach, inasmuch as, after all our waste of blood and treasure, it was found to be untenable. With respect to Dunkirk indeed, particular blame was due, because it had been undertaken without the adequate means of success. As a particular proof of this, such gun-boats as were constructed for that occasion, were neither ready in due time, nor capable of carrying guns of a calibre fit to cope with those of the enemy. Nieuport must have fallen into the hands of our enemies, but for the timely assistance afforded to it by the arrival of his Honourable friend, General Grey.

Of the West India expedition (under Sir Charles Grey and Sir John Jarvis) Lord Wycombe said, that he should have entertained every hope from the known abilities of the commanders; but their force had been so maimed and curtailed, previous to their final departure, that he doubted if ministers themselves could entertain any very sanguine hope from their exertions.

The conduct of ministers to neutral powers would form, he trusted, also another object of serious investigation. He alluded particularly to the order of council, for intercepting American ships laden with the produce of the French colonies. The late speech of the President, Mr. Washington, shewed, that the Americans were not disposed to be trifled with; and, from his knowledge, he could aver, that there was no circumstance, which the Americans would be inclined more strongly to resent, than such an attack on the freedom of their commerce.

His Lordship's remarks tended in general to prove, that the British arms had suffered defeats; not from any declension of their bravery, but from a want of system in those with whom the direction of the war rested; and made some very pointed geographical observations on the several seats of war, expressing his conviction, that a prosecution of hostilities could tend to no other purpose than that of weakening our strength and our resources, and of course rendering us more insecure from those evils which we deprecate in the French government, which we are so anxious to guard against. He concluded with moving an Amendment to the motion, thanking his Majesty for the communication he had been graciously pleased to make to that House, and earnestly recommending to him to adopt such measures for bringing about a peace, as to him might seem wise and fit.

Sir James Murray rose to set the noble Earl right with respect to the relief of Nieuport. The Duke of York had sent orders, and had taken steps which compelled the French to retreat from all the posts which they had assailed.

Lord Wycombe demanded whether *Sir Charles Grey* had not sent an officer on shore, to announce to the commandant, that the next morning a reinforcement would arrive; and whether the commandant did not declare, that he was unprovided with ammunition—but on this promise he agreed to stand out, and the place was saved?

Sir James Murray said, he could not tell any thing of that; he only knew, that hopes were given to the Duke of its being able to hold out for a time.

Col. Tarleton rose to oppose the Address, and condemned the war in its undertaking and conduct. If Addresses, and the business of Parliament, were become a mere form, and lost their spirit; if they were to meet as a matter of course, to thank the minister for losses and disgraces; what hindered, that proclamations were not substituted in their stead at once, and allowed the force of law? How could they justify themselves

selves to their constituents, in raising taxes for the purpose of carrying on an useless and ruinous war, and supporting a set of beggarly allies? Looking at the situation of Europe, it must have been evident to all, that civil war was inevitable in France without the aid of external hostility. It was by combination alone, that the Jacobins became triumphant, and by the efforts of their external foes they were enabled to depress their internal enemies. On the other hand, we were in full possession of domestic happiness and tranquillity, of trade and power, reaping all the benefit from the distraction and distress of our neighbours. What then could have induced us to mix in the war? After all that had happened, the Colonel said, it was the duty of that House to express their sense of the manner in which the war had been conducted; and he conceived the mere detail and narrative of facts would be the severest censure that could be past upon the authors of them. When the British lion was once roused, much was naturally to have been expected; but he would ask, what, after an exertion of twelve months, had been done? Merely nothing! If, indeed, a proper force had been early directed along the Seine, it might have reached Paris, and much benefit been derived from it, by affording the royalists an opportunity of displaying their true sense and wishes. By this measure, a fair inference might have been drawn speedily; either a fortunate issue to the event, or else a demonstration of the utter impossibility of conquest. He conjured the House to interfere, and not suffer the ministry, by the pursuit of temporizing measures, to suffer our trade to be interrupted, and our arms disgraced. He reminded them of the various disasters that have befallen us; the expedition under Gen. Grey, crippled; Toulon evacuated; our General there a prisoner; and our commissioner, an honourable Baronet, a member of that House (Sir Gilbert Elliot), unable to communicate either confidence to our allies, or comfort to his country. He meant not, he said, to dwell on the long catalogue of ministerial errors in the conduct of the campaign; they were too notorious to need repetition: Commerce was the offspring of peace; and we, as a commercial nation, should cultivate it strongly. War was the curse and ruin of such a people. He understood that a right honourable member (Mr. Dundas) asserted in the last session, that the multitude of bankruptcies proved the flourishing state of the country. If that were true, we certainly had the most ample testimony of our increasing prosperity, in the universal decay of trade in all the manufacturing towns in the kingdom. If Britain were to withhold

her

her assistance, the allies would be instantly beaten, and the sword sheathed. The present situation of the combined powers affords an awful and an useful lesson: The picture is greatly different from that which might have been sketched in the case of our neutrality. The Austrians and Prussians would have found their weakness, and have seen their resources exhausted. We now offered to the world, the extraordinary sight of a commercial people paying half the princes of the globe, for fighting battles, in which we had at most but a secondary concern. When Gentlemen supposed France unable to resist her numerous assailants, let them remember the exploits of Salamis and Thermopylæ, and reflect what exertions the love of our country can inspire. Had we avoided the present war; had the money we had squandered, been more rationally expended, on our commerce, our marine, and our manufactures; we should have preserved our prosperity and domestic quiet, enjoyed all the advantages of peace, respected and admired by all, while distressed nations would have solicited the shelter of our wings for protection.

The blood that had been spilt he conceived to be mostly attributable to this country; for if we had not interfered, the Austrians and Prussians would long since have seen and acknowledged their inability to conquer France, and consequently the sword of desolation would have been sheathed. The Colonel concluded with declaring, that, being fully convinced of the folly and madness of the war, he should give his hearty assent to the Amendment.

Mr. Hawkins Brown said, on so important an occasion he would not give a silent vote. He supported the Address, in a very sensible and pertinent speech. He denied that the object of the war was the restoration of the monarchy of France under any form: Its object was to secure the civil order of society in Europe; and when that was obtained, the form of government which France might assume would be a matter of indifference; but while the French adopted a form of government that endangered all social order, whether it was monarchical or democratical, such government was in its nature generally aggressive, and provoked opposition from a principle of self-defence.

Mr. Courtenay expressed his surprise at the objections stated in the Speech from the Throne to any negotiations for peace. He professed he knew not any sound reason that could be advanced against it. He took notice of an expression which had fallen from the noble Mover of the Address, respecting the assassination of Brissot and the other deputies; and expressed his

his astonishment that so foul a murder should have been coloured by the appellation of justice. The war, in his opinion, was a war of aggression on our parts; and the first provocation had been given by the insulting rejection of *Mont. Chauvelin*, the French Ambassador, and the harsh restraints imposed on our commerce with that country.

He observed, that the Defenders in Ireland had been mentioned by the noble Lord, as a proof of seditions existing in that kingdom; but it was notorious that these commotions had existed for the last thirty years, and always on the same plea of oppressions exercised on the lower classes of the people. If loyalty had there shewn itself more in the shape of rigorous prosecutions, it was only because there was comparatively a greater number of pensioners in that kingdom, and with this class of men their love for their country was in an exact *ratio* with what they got by it.

The noble Lord, who moved the Address, seemed to have no objection to a peace with France, provided we first conquered that country. Why a peace should not be made before, his Lordship would probably find it difficult to make out. His present argument put him in mind of a species of courtship in Ireland, where it was necessary to commit a *rape* on the woman, in order to marry her afterwards. The honourable Baronet who had seconded the Address, appeared in the true spirit of an alarmist, to despair of the country, by way of encouraging us to carry on the war. He could wish that, however hateful Jacobinical feelings were represented, the honourable Baronet had imbibed some of the French enthusiasm, which led them to despise danger, and to emulate the best efforts of the republics of Greece and Rome. The Gentlemen on the other side affected too much to despise the French, whilst their sentiments too plainly betrayed their fears. They sustained their feelings only by descanting on victories which were never heard of, until they were first promulged in the Speech from the throne. Mr. Courtenay had not before heard of our triumphs, which were now quoted for the purpose of leading us to new exertions. He had heard, on the contrary, of the port of Corke having been blocked up, and of several of our victuallers having been taken by the French cruizers. He could not divine in what way those new exertions were to be effected. What number of men could we now send to the continent? The Prince de Cobourg had 120,000 men at the commencement of the present campaign; the Duke of Brunswick had 100,000, yet had he been obliged to retire before General Hoche, a commander taken from the ranks.

And the French, who had made these prodigious efforts, were represented as starving. This afforded some clue to the policy of the minister. It was probably his view to reduce the people of this country to the same starving condition, in the hope that it might drive them to similar exertions.

There was, however, a shorter way to every desirable end. It was only the pressure of the combined powers, which gave energy and weight to the authority of the usurpation in Paris. The attacks from without gave the leaders in the Convention the sole authority which they possessed within the republic. Let the former be removed, and the people of France would soon look to their internal government: Robespierre and Danton then, and not till then, would be found to possess as small a share of respect as the present ministers of this country!

But it had been the wish of the Right Hon. Gentleman opposite to him, to shew himself a great war minister, like his father: He had now tried the slippery ascent, and must have felt his failure. If the present Earl of Chatham had ever such a purpose in view, it was equally incumbent on him to retire. To either may be applied what was once said of the son of an eminent literary character,

“ He tries to write because his father writ,
“ And shews himself *a bastard* by his wit!”

The purposes of the combined powers, Mr. Courtenay observed, were easily to be collected from their conduct in Poland. Why had not ministers, who had been so eager to assist the Dutch and the Netherlands against the depredations of their neighbours, done something in behalf of that unfortunate kingdom of Poland? If the unfortunate King of that country had attempted to establish arbitrary power in his realm, he in all probability would have been subsidized and supported. He lent his sanction to the cause of liberty, and was stript in consequence of every type of regal dignity. To act with such men was degrading to the British name. If we wish to dissolve this vile connexion, and at the same time to destroy the French Jacobins, this could only be done by making an immediate peace with France.

Lord Clifden rose to explain. He said, that he had not attempted to vindicate the execution of Brissot, and the other deputies. In his mind it was only the cause of one set of assassins triumphing over another.

Mr.

Mr. Courtenay replied, that the noble Lord had called it "an act of justice," an expression which certainly implied something meritorious.

The Earl of Mornington began an able but long speech with saying, that he would endeavour to shew, as shortly as he could, that the same necessity that there was to commence the war, still existed in all its force to compel us to the further continuance of it. The nation were convinced, and would always bear in mind, that in the origin it was a war of justice, necessity, and policy; that it was a war into which we were forced by the aggression of France: But if there was any one man in this country not convinced of this fact, his Lordship said, he held in his hand an authority which no man would dispute; he meant the pamphlet of the celebrated Brissot. If that philosopher were brought to the bar, and stood convicted of all the atrocities that have been justly imputed to him, still his evidence, as to the designs of France, as to her preparations, as to her conduct with respect to neutral nations, and particularly to England, would be received as most conclusive proof. What does Brissot, who was the soul of the Revolution of the 10th of August, and who was the great mover of one of the great parties, say of the decree of the 19th of November 1792, commonly called the Decree of Fraternization, or, in other words, of instigating the subjects of the different powers of Europe to rise in insurrection against the constituted authorities? "The absurd and impolitic Decree very justly excited uneasiness in foreign cabinets." That decree still exists in France; for no one of the acts, that have been done by the present party, have truly and effectually done it away. The same spirit of fraternization is still manifest in their actions, though disavowed in their writings. They have in all countries, where they have had ministers, uniformly and constantly employed the same atrocious means. Do we not see, from the speech of Mr. Washington, and from the correspondence that has been published, the conduct of citizen Genet in America, how he insulted the first magistrate; he established popular and disorganizing clubs; he embodied armed men; he erected a consular tribunal for the condemnation of prizes; and all this he has done with the applause of his country. In the same manner did their ministers act at Constantinople.—There also they erected Jacobin clubs. In the West Indies they proposed a still more horrid measure, that of putting arms into the hands of the Negroes, in order to commit a general massacre of all those who should object to their new system of things; by

I 2

which,

which, as it clearly appears from Brissot, they meant to spread the same calamity over the whole of the British islands. That their object and aim was the overthrow of all the governments of the earth, Brissot's confession gives us certain proof: With respect to England in particular, and to her ally Holland, it does not rest even on his authority solely; the correspondence of Dumourier proves, that in October 1792 he proposed the invasion of Holland directly and unequivocally; and though much dispute has taken place, as to who first outraged and provoked England, though the Federalists have accused the Anarchists, the Anarchists the Federalists, the Mountain the Valley, and the Valley the Mountain, yet they all agree by these mutual accusations, that they did commit the aggression. Brissot advised the fitting out at Brest a squadron of 30 ships; and was at length accused of a crime, in being the adviser of war with England. Brissot is only anxious to prove that he wished to attack us by other means; he would have attacked us more securely, by exciting commotions and fermentation in our own bosom. "What (says he) did the enlightened Republicans of France think before the 10th of August? Men who wished for liberty, not only for their own country, but for all Europe. They believed that they could generally establish it by exciting the governed against the governors, in letting the people see the facility and the advantage of such insurrections." They entertained no doubt of accomplishing this; for (says Brissot) revolutions are always produced by a minority: It was the minority that produced the French revolution; it was the minority that made the people sovereigns.

In his opinion, his Lordship said, his Majesty's Speech was correct, in pronouncing the last a fortunate campaign. He did not speak of the particular events, but of the general result. The general result was indisputably favourable; we had driven the republicans from the Netherlands, from Antwerp, and Ostend, by the possession of which they controlled the commerce of Holland; we had driven them from Liege and from Mayence; we had secured our ally; we had taken the principal part of their fleet, or rendered it useless, for the whole campaign; and, on the evacuation of Toulon, we had given a fatal and decisive blow to their marine. A greater advantage never was obtained in any first campaign that we ever had to wage against France. He dwelt at large on the capture of *Condé*, *Quefnoy*, and *Valenciennes*, and stated them to be of essential utility in our next attempt to reduce France.

He

He admitted the recent disasters of the Allies on the Rhine, but still contended that France was in a worse condition in that quarter than she had been in at the commencement of the last campaign. In the West-Indies, we had taken Tobago, and a principal military post of St. Domingo; we had utterly destroyed their Newfoundland fishery; we had taken their forts and stations in the East-Indies, and particularly the important post of Mahé, which was of the utmost consequence to us in our relation with Tippoo Saib. Upon the whole, therefore, he declared, that the result of the campaign was infinitely more favourable than our first expectation had formed it, and left France in a worse condition than at its commencement. He undertook to prove also, from principles that he flattered himself he could make manifest to the House, that our prospect of success was now great and decisive. The first principle he laid down was, that the foundation of the power of France, however formidable in appearance, was in every part unsound, that their numerous armies were unsound, their resources were unsound, that, above all, the stability of their government was most perfectly unstable and unsound. Secondly, that the causes of our difficulties, by becoming capable of examination, would be discovered and removed; and he would take upon him to prove that, however French principles might have been received cordially at first, no man, however favourable to the principles of freedom, could now see them without horror and disgust. On the 31st of May last, the lowest faction in the assembly, the minority, without character, composed of men the lowest in talents, of desperate fortunes, and of the most savage and sanguinary minds, had in one day completed a change; they had impeached 140 members, a number of whom they instantly arrested, whom they had since massacred, and the rest had fled. They then formed a new Constitution, and even this in the month of September they had suspended, and erected a monster, which they called a Revolutionary Government, in its stead. It would be impossible for him truly to paint the character of this system. To use their own phrase, *terror was the order of the day*. Take all their other Constitutions, compound and mix them together, extract the malignity of each, and preserve the violence of all, and add to the projection all that iniquity, cruelty, and horror can conceive, and you will have the genuine potion, called a Revolutionary Government.

In the month of August last, his Lordship said, they had spent 18 millions: By this calculation their expence for the last year had cost them 216 millions sterling; a sum nearly

equal to the whole national debt of England. [The error in this statement was immediately noticed by the Chancellor of the Exchequer, and instantly corrected by his Lordship.] They had estimated the whole property of France at 120 millions; so that they spent in one year 196 millions more than their total capital. And how did they support this? By means which could not last; by assignats, which grind the poor, cheat the rich, foment avarice, and promote speculation: By forced loans of the most extraordinary kind. They established one in August of a most singular sort: On all salaries and places of 40*l.* a year, the tax was 4*l.* and so on till it rose to 400*l.* But when it came to 400*l.* the tax was 220*l.* On all places and salaries above that sum, the tax was first 220*l.* on the first 400*l.* and on all above that sum, so that no man was to retain above 180*l.* a year; and all this was to be paid before the month of March; and by this loan they are to get into their hands 40 millions sterling. What a plan of finance was this! What should we think of the Chancellor of our Exchequer if he were to come forward, on opening his budget, with a plan for raising armies without taxing the people; and if he should call for a forced loan on all property, and should reduce every man of fifty, ten, five, two, and 100*l.* a year to 180*l.*? In the same manner had they made their attacks upon commerce, they had reduced it to a non-entity; but they had made a kind and merciful decree, that any man who should prove that he was completely ruined, should have an indemnity. Cambon had made a report on the growing indignation against gold and silver. He had a scheme to bury it again in the bosom of the earth. And what was his scheme? A decree to arrest all persons who should be found to have concealed their treasure in the bowels of the earth.

His Lordship next came to their attacks upon religion; and he exemplified the connexion between religion and moral order by citing the memorable speech of the Abbé Seyes, when he came to the bar to make a surrender of his indemnity. "In the rigour of my judgment," said he, "I abandoned religion, and then insurrection came into my heart." It is said that they have now established a sort of religion; the House would see from Robespierre's manifesto what that religion was: His words were—"What, accuse France of irreligion! we, who have worshipped God by the murder of Kings!"

He next adverted to their criminal justice, which, he said, they made an object of revenue, and that 1000 executions had taken place in Paris since May last, for pretended State crimes alone. It was a remarkable fact, that, during the whole reign of the late unfortunate Louis, not one such execution

tion had taken place. His Lordship entered at great length into each of the circumstances at which it is only possible in this report transiently to have glanced, and from these he drew the conclusion, that though the power of the Republicans of France had in this campaign appeared to be formidable by their requisitions for raising the people in a mass, by their system of terror, by putting the guillotine into permanent activity, by their *guillotine ambulante*, and by the still more horrid engine of martial law, exercised with all their armies; though by these extraordinary means, they had displayed irresistible energy in momentary efforts; yet it was in some degree consolatory to reflect that it was a power which must exhaust itself, and could not endure. Notwithstanding all this system of terror, the spirit of revolt was not extinguished in France. In no less than forty-three departments the standard of Royalty had been raised; and now at Lyons, in their dying agonies, the people still expressed their regard for Louis. Even if a general sentiment for peace should shew itself, his Lordship said, it could not be obtained; they had pronounced it to be treason to enter into any negotiation for peace, till the unity and indivisibility of the Republic should be acknowledged; and by this they meant to include all the departments which they had seized upon from our allies; and of course we could not make a peace with them without abandoning our honour. And how could we procure any other than a deceitful repose, until we shall find a government in which we can have security? He appealed therefore to those who had agreed to enter into the war last year, if they would now consent to give up the contest? He appealed to them, if they did not feel less alarm at present than they did at the commencement of the last campaign? To what did they owe this, but to the barrier which we had been able to erect between ourselves and them? And whether, after the successes we have obtained, it is not better to go on, than to trust to the religion of Robespierre, whose piety consists in the murder of Kings? to the faith of Cambon, whose system of finance is to be established on the proscription of gold and silver? to the moderation of Danton, who declares it to be treason to enter into a negotiation, without abandoning the cause of our allies? or to the friendship of Barrere, who has pronounced, in his report upon Toulon, that France never shall stop till England is overthrown?

[His Lordship was more than two hours on his legs, and his speech, of which the above report, from necessity, can only be considered as an imperfect sketch, was allowed by all who heard it, to be one of the most comprehensive, animated, and masterly of its kind of late years delivered in the House of Commons.]

Mr.

Mr. Sheridan obtained the next hearing, and set out with observing that the Noble Lord who had just sat down, had divided a speech, more remarkable for its ability than its brevity, into two parts; into a detail of the atrocities that had been committed in the course of the Revolution in France, and into a declamation upon them, in which he had thought proper to read a great number of extracts from a pamphlet of Brissot, and had in reality put that gentleman upon his trial. He did not see any other of the learned gentlemen, connected with Administration, rising in support of the prosecution, nor did he think that the Speaker was yet ready to sum up the charge. In that state, then, he hoped he might be permitted to say a few words to the real question. He admired the emphasis of the noble Lord, in repeating the extracts from Brissot; he admired too his ingenuity, in his observations upon these extracts; but he could not help still further expressing his admiration that the noble Lord should have thought proper to have taken up so many hours in quoting passages in which not more than one word out of ten was to the purpose; nay, in which every passage was truly and most forcibly against his argument. The noble Lord had set out with making a variety of quotations to prove that France had begun the war with Great Britain. Why the noble Lord thought it necessary to bring this forward on the present occasion, was manifest from a passage in the King's Speech, desiring the two Houses to bear in mind the real grounds on which the war was undertaken, and the causes that led to it. What the real grounds of the war were, *Mr. Sheridan* professed he did not know, for they never had been explained either to that House or to the nation, nor had he ever been able to divine them; but he knew the means by which we had been brought into this war; we had been brought into it by repeated declamations on all that the frenzy, folly, and rashness of individuals in France, had either said or written, by which the passions of the country could be roused, or their fears excited, in order to second the views of those who had determined to plunge us into it at all events. The same sort of recapitulation, the noble Lord now thinks proper to make upon precisely the same sort of authority, in order to provoke us to the further continuation of it. What was the sum of all that he had told the House? that great and dreadful enormities had been and were still committing in France; enormities at which the heart shuddered, and which not merely wounded every feeling of humanity, but disgusted and sickened the soul. All this was most true; but what did this prove, except that we had driven the people to a state of madness, and that, furious and desperate, we had destroyed, or lulled to sleep,

sleep, those sentiments of humanity; which could only be found predominant in a state of reason? We called them monsters; and we hunted them like monsters, we drove them to the extremities that produced the evil; we baited them like mad beasts, until at length we made them so; we were, in truth, the authors of every one of these calamities; for judge of human nature as it is, deprive it of all rational hope, destroy all fair combat, and treat men as beasts and monsters, and all history will prove that you make them so. Such has been your treatment of France. You have made the monsters of which you complain. You cut them off from all the world; you hunted them in their inmost recesses; you treated them with every species of contempt; and now you come forth with declamations on the horror of their turning upon you with the fury which you yourselves inspired.

The noble Lord, in going over the pamphlet of Brissot, Mr. Sheridan observed, tells us rather whimsically, that he passes over this passage, and runs over that, in the very moment, when, by the bye, he enters more particularly into the detail of both; and disclaims all idea of entertaining the House on the subject, when at the same time he dwells upon all the most minute particulars, and omits no one of the passages which he pretends to pass over; and all this is done to shew the House, that the system now adopted by the government of that country is so abhorrent to the feelings of human nature, so contrary to all the natural love of harmony and of social order implanted in the heart of man, so ruinous to external force, as well as to internal peace, prosperity, and happiness, that it cannot stand. Is this the conclusion that the noble Lord wishes to draw from all the details that he has taken from the publications of Brissot? I close with him on the subject. Admit his facts, grant that the system now prevalent in France is all that he has called it, and what ought to be the consequence to us? that we ought to leave to the natural workings of the discords which it is calculated to engender, the task of its overthrow. That if it will not stand of itself, it is not necessary for us to attack it. That if it be an opposition to all the feelings that God hath planted in the heart of man, it is an outrage on the Deity, feebly to interpose our weapons where he has already erected the certain causes of its fall. Why dare to take the thunderbolts out of his hand, and strive, by the petty force of human opposition, to accomplish that which is in the settled order of eternal Providence.

The noble Lord has quoted a number of passages from Brissot, to prove that a system of fraternization, which was one of the pretexts on which we went to war, is still, in reality,

VOL. I.

K

maintained

maintained by the party in power, though the one party differed from the other about the means. The noble Lord has not been very fortunate in proving what he is so eager to assert. Are the principles of fraternization now avowed? The noble Lord shews us that all parties accuse each other on the subject. The Federalists throw it on the Anarchists, the Anarchists on the Federalists, the Valley on the Mountain, and the Mountain on the Valley: they all seem to have repented of their having provoked this country to war; and the consequence of this remark which the noble Lord has brought into review, is, that they have abandoned the sentiment and principle of fraternization completely and for ever. It is a lamentable thing, Mr. Speaker, that Great Britain seems to have taken it up. They have declared that they will not interfere in the government of any other country than their own; they have declared that they will not dictate to any nation, nor to any people, what system they shall pursue. What have we done? view our conduct to Genoa! behold the system of British fraternization! With every petty and unfortunate state of Europe have we not presumed to fraternize? Wherever we durst be presumptuous enough to dictate, we have committed the outrage. There is no magnanimity in our fraternity, for what is the sort of brotherhood that we profess to the poor defenceless States of Genoa and others? We have said, you shall not govern yourselves; you shall not promote your own happiness; you shall not be guided by your own councils; you shall not preserve the blessings of peace, neutrality, and commerce; we choose to fraternize with you, and to communicate to you in brotherhood the calamities of the war in which we are involved. Such is the glorious character of British fraternization!

The noble Lord's next remark was, that the French had sent their Citizen Genet to America; and here again he enumerates all the outrages that he committed, the insults which he gave to General Washington, and others; his erection of clubs, of a consular tribunal for the judgment of prizes, &c. &c. And what is the result of all this enumeration? The noble Lord is assuredly most unfortunate in his arguments! *America remains neutral and at peace!* America, with the wisdom, prudence, and policy that we disdained, preserves at this moment perfect tranquillity, and has opened the road to unbounded opulence: America has preserved to herself the commerce which we abandoned, and she is at this moment enjoying all the fruits of industry, manufacture, and trade increased by the demolition of every rival, and which, but for our insanity, would have been exclusively our own. And who will say that America is degraded

graded by this conduct? Who will say that the insolence of Citizen Genet, even as stated by the noble Lord, would have been a good and genuine cause of war? No man will assert that America has not, by the wise policy which she has adopted and pursued, distinguished herself above the nations of Europe, and has shewn the happy result of an administration actuated only by a regard to general happiness.

The next thing the noble Lord remarks from Brissot's pamphlet, seemingly as a justification for our going to war, is, that Monge had, in the month of October, 1792. promised the Government of France, to have thirty ships of the line at sea in April. And this, says the noble Lord, with boastful exclamation, was happily prevented by the vigorous measures of the British Minister. And what was the vigorous measure pursued? Two corn ships were stopped in the river Thames! "If they knew of such a promise on the part of the Marine Minister of France," says the noble Lord, "and had not taken steps to prevent its execution, they would have deserved to be whipped like school-boys." Then, Sir, let us examine what steps they did take. Was the equipment of this fleet prevented by the stoppage of a couple of corn ships? Had they a fleet ready to meet such a fleet in the month of April, or even for a considerable time afterwards? Ministers would "deserve to be whipped like school-boys," if knowing, in the month of October, that such a design was really taken up by France, they neglected every measure that common sense, fore-sight, and their duty should have dictated to preserve us against the consequences.

The noble Lord tells us, as a proof that they certainly harboured the intention of engendering commotions in England, that Condorcet, in a pamphlet, states, that a plan for a Parliamentary Reform was supported by the Minority in England. And here the noble Lord had also brought forth the wise argument of the French writer, that this plan must certainly succeed, because it was supported by the Minority. "Every Revolution is the work of a Minority. The French Revolution was accomplished by the Minority!" If this be true, it certainly is a most ominous thing for the enemies of Reform in England; for if it holds true of necessity, that the Minority still prevails in national contests, it must be a consequence, that the smaller the Minority, the more certain must be the success. If this be true, in what a dreadful situation must the noble Lord be, and all the alarmists! for never surely was the Minority so small, so few in number, as at present. I am glad, however, to find, that we are terrible in proportion as we are few; I rejoice to find that the liberality of secession,

which has thinned our ranks, has only served to make us more formidable. The alarmists will hear this with new apprehensions; they will no doubt return to us, in order to diminish our force; and we shall swell our numbers, in order to come nearer in a balance of insignificance to the numerous host of the Majority.

The noble Lord, in summoning up all the details into which he has gone, calls upon gentlemen to say, whether they do not feel more confidence, and are not less alarmed at this time than they were last year? The question is apt, and well put: I have no doubt, but gentlemen are less alarmed. Why? because they have found out that they were alarmed without reason, because the bugbear is vanished, and they now see that the miserable delusion, by which we were drawn into this war, had no rational foundation, and could not stand the test of time and truth. All the noble Lord's arguments, and all the result of his industry in the quotations that he has made, is to hold out an assertion to the House, that we were forced into war by the aggression of France, and that it was of course on our parts a measure of necessity, and not of choice. Why this assertion is so eternally made, though it is so feebly maintained, can only be accounted for, by the supposition that Ministers find it necessary to their present embarrassments, to delude the public with the idea, that as France declared the war, France is indisposed to peace. Mr. Sheridan said, he could take upon him to assert, that they never have made out, to the conviction of any reasonable and independent mind, the fact that the French were anxious for a war with England. On the contrary, it is manifest from all their conduct, that they were hostile to the measure, that they have demolished the party who seemed in the least to favour it; and he believed that they would not only be ready to make peace with England upon terms, not merely of safety, but on terms which are honourable and advantageous to the Empire. He declared, this from the view of their public declarations. They have, he said, pledged themselves to the people, that they have abandoned all idea of spreading their doctrines over other countries: they have declared that their only task is to establish such a Government as the people shall choose for France; and therefore the obvious conclusion is, that they must at all times be ready to treat with their enemies, upon the principle of being left to the exercise of their own will within their own boundaries.

The noble Lord must excuse him, Mr. Sheridan said, if he asserted in direct contradiction to his opinion, that the war was not a war of necessity on our part, but a war of choice; and he

was

was astonished to find that the Right Honourable Gentleman himself (Mr. Pitt) does not feel it necessary to his own dignity to own the fact; he wondered that he does not feel shame at the notion of calling it a war of necessity. Would he make this assertion to his allies? Will he meet the question fairly? Would he have stood still, and seen the Austrians, the Prussians, and the other states of Europe, encounter France by themselves, if France had not committed an aggression upon us? If he says this, mark the dilemma into which he brings the nation. The war is called a war for human order, for the preservation of morals, of property, of religion, and of all that is dear to human kind. Does he then mean to say that he would have stood still, with his arms folded, and have suffered human order, government, morality and religion, to take care of themselves, if France had not implicated Great Britain by a special offence? Will the Right Honourable Gentleman say so to the King of Prussia? The King of Prussia, Sir, at this moment tells you, even with a menacing tone, that it is your own war; that it is a war which does not come within the tenor of his treaty of defensive alliance, and that he is not therefore bound to furnish the troops for which he stipulated on the event of your being attacked. He says, that you made the attack, on principles, to be sure, which he calls just, but he demands a new subsidy, if he is to continue to fight your battles. To call it, therefore, Sir, a war of necessity, throws a meanness on the cause in which you are plunged. You must either abandon the assertion of its being a war of necessity, or give up the boast of its being a war of principle.

The noble Lord says, that, however desirous the nation may be of peace, we can only think of obtaining it on the grounds of seeing a Government established likely to secure to us peace; and that we can only make peace consistently with the interest of our allies. What does he mean by such a Government as shall secure to us peace? Must we go on with war till we have established a Government in France *to our minds*? If this be the system of Ministers, they should tell us what sort of Government they mean, and what are the hopes that they have to effect it; surely when a Government involves a country in a war, they ought to point out the specific means of ascertaining its object. The noble Lord says with a sort of pride, that the French are in a worse condition now than at the beginning of the campaign. In a worse condition perhaps, as they have lost many thousands of their people. All Europe, Sir, is in a worse condition.

But,

But, " said Mr. Sheridan, I demand a question more to the purpose, and in truth, the only question with which England has to do; I ask you if there is any one man in this House or out of it, who thinks that we are nearer to the object in view, than we were at the beginning of the campaign? Let any man fairly and honestly answer this question, before we madly plunge into new horrors? Let us look around us at the state of our allies and at the circumstances of the campaign. Almost all the advantages so vauntingly enumerated were gained before we separated. Holland was saved, the French were driven out of the Netherlands, and though indeed the frontier towns were not taken, we had prospects which no man will say we possess at this moment. It was said, when Great Britain puts forth her mighty arm all, that is wanted to the overthrow and extinction of the banditti in Paris will be found; the Royalists in every part of France will rouse themselves, and hearing the voice of the British Lion, will rise with a triumphant energy in every part of the kingdom. What has been the sad experience? They have heard our voice indeed, and they too fatally were seduced by its attraction. They declared themselves they were abandoned; they are extinct. Good God, are we to be told that the prospect is improved by the operations of the campaign! The massacres to which we have doomed these miserable creatures, by the false hopes and promises by which we have deluded them, does not serve to brighten the prospect of the next campaign. Who again will be so stupid as to listen to the voice of Britain? What Royalist, after the fate of Toulon, of Noirmoutier, and of St. Maloes, will take courage on the promises of Britain to raise the standard in France? Nor is this the only change for the worst. At the commencement of the campaign, two parties in the most inveterate opposition to each other, divided, tore asunder, and dispirited the French people. In the convulsions of these parties, all the efforts of the nation were enfeebled, the hopes of the patriot dismayed, exertion and enterprise shackled, and the whole system deranged, so as to give us hopes that by their internal feuds, they would not be able to resist with effect the tremendous power of the Combined Armies. What has happened? To the astonishment of all the world, to the confusion, to the dismay of all, one of these parties, apparently the most feeble, has not merely subdued, but extinguished the other! and so little sensation has this made in France, that the conquering party seems already seated in the quiet possession of the most ample authority ever possessed by any Government. Their triumph has been so complete, that they have exercised powers unheard of, and unparalleled

paralleled in history, and by which they have performed achievements the most tremendous. They have sent a commissioner even to a conquering army, to demand of them to deliver up their generals, and they have obeyed them without a scruple. In all their orders, in all their enterprises, not a single corps has either shewn disaffection, or risen up in mutiny to the Convention.—Here then is a proof that the condition of the Allies is worse now than at the beginning of the campaign, for the great experiment has been made; all Europe has risen in arms against one nation, and that one nation, fired by enthusiasm, and fighting for what they conceive to be the cause of liberty, has successfully resisted them.

“The noble Lord tells you that to be sure they have a great army, *but it is not sound*; they have a great deal of treasure, but their prosperity is not sound; they have made wonderful exertions, but their force has not a sound foundation; and the noble Lord has taken great pains to shew you how all this comes to pass. It reminds me of a story of a tradesman, who had bought a house-clock from an ingenious young man, who, without having learned the trade, had invented and made a very curious time-piece. A neighbouring clock-maker was very much exasperated at this intrusion of the natural genius, and he took a great deal of pains to convince his neighbour, that he ought by all means to turn this clock out of doors. It was impossible, he said, it could go well as it was not made by the rules of the art. It was in vain that his neighbour said that it went truly, that it told him the hour of day exactly, that he could wind it up like other clocks, and that, upon the whole, he was well pleased with it. The clock-maker answered, that all that might be very true, but it could not be sound at the bottom. It had not all the wheels and movements that were usual; and he at length cajoled the poor man to turn out his time-piece, and buy from him, at three times the cost, a clock that did not do him half the service. The noble Lord next tells us of the shackles that they have put upon commerce; and, with a great deal of piteous declamation, he has told us how little regard they have paid to that source of national wealth. This is all, certainly, very true; and I have no doubt, Sir, but it has arisen from the excessive alarm of some distinguished Patriot, who, viewing the immense power assembling against them, and, dreading for the freedom of his country, has exclaimed in the Convention, “*Perish our Commerce, live our Constitution!*”* The noble Lord next tells us of

* Alluding to an expression of Mr. Windham, member for Norwich.

the amazing taxes that have been laid on the people, and with great arithmetical accuracy has found that, in taking from every man of 400*l.* a year, 220*l.* there only remained 180*l.* to himself: in this he agreed with the noble Lord, he was sorry it was the only part of his proposition to which he could agree. But what did the argument prove? That so devoted were the people of France to the cause of Liberty, so determined to maintain the struggle in which they were engaged, so ready to support the party in power, that they agreed to a man to surrender all their fortunes, and, from him that possessed 10,000*l.* a year, down to him who was worth only 400*l.* consented to live on 180*l.* rather than yield to the powers of Europe. This is tremendous but to whom? To those who have to fight with such a people. The noble Lord makes a speech for the Chancellor of the Exchequer, in which he is not more fortunate than in his other arguments. He makes him say, While the gentlemen of France are thus giving up all their fortunes to prevent the poor from being burthened, what do I propose to do? Do I talk to you of raising and supporting an army without laying additional burdens on the people? Do I talk of procuring voluntary contributions, except of mittens, night caps, and under-waistcoats? Do I demand of the Placemen and Pensioners who support the war, to give up all their incomes except 180*l.* a year? No such thing. All the gentlemen who will come forward in support of this great and glorious war, are to share in the taxes that are to be laid on the people, and accordingly look round me and see how I have fattened and aggrandized all the persons who have come forward to my aid. No man now can make a boast of the sacrifices he has made in order the better to oppose the friends of Brissot * in England. Not merely themselves, but their nephews and cousins, to the third and fourth remove, have been loaded with spoils, and have been appointed paymasters, agents, commissaries with pensions, entailed upon the country, whatever might be their services, merely for coming over to the support of the war. Good God, Sir, what a contrast do we exhibit, that in such a moment as this; in times so big with national fate, the money squeezed from the pockets of an impoverished people, from the toils, the labours, and the sweat of their brows, should thus be squandered as the price of political apostacy! It misbecomes the honour of a gentleman to give, it misbecomes the honour of a gentleman to take, in such a moment. This is not a day

* Alluding to an expression of the present Lord Chancellor, in the course of last session of Parliament.

for jobs and little dirty traffic, lucre, and emolument, unless it is meant to promulgate it as a doctrine that all public men are impostors, and that every libel of the French is founded in truth. What is the sort of language that we hear? The order of nobility is in danger. I will fight for nobility, says a Viscount, much better if you will make me an Earl. Make me a Marquis, says the Earl, give me a blue ribband, says the noble Lord in a green one; and thus, while the people at large are told that the very pillars of the Constitution are in danger, they see nothing but a miserable scene of intrigue for the prostitution of honours, and the corrupt squandering of national wealth. Even the Right Honourable Gentleman himself, who made so loud a boast, in the commencement of his political career, of his own disinterested purity, who lamented that he had fallen upon times too good, and who wished that they were even more corrupt, to display with greater effect the contrast of his magnanimity, takes to himself, in addition to all the profits of active office, a sinecure which he swells into an enormous pension. Sir, though these things have hitherto passed without observation in this House, they must not, shall not continue so to be overlooked. If the Representatives of the people do not shew to the country a spirit of vigorous correction in regard to the use of public money; if they do not take care, that not a single guinea shall be spent otherwise than in the public service, the people will soon be taught not to look to this country, nor to Parliament for relief.

"But in all this scene of jobbing and of plotting, what pride ought *we* not to feel, Sir, we who have suffered so much from the reproach of a coalition. When the pinching hour of necessity came, Ministers were forced to look to those men for aid, for joining with whom we had suffered so many accusations. To be sure, it was not a very creditable thing to the talents, nor could it be very pleasant to the feelings of the gentlemen on the other side, that Government were obliged to make this sort of application. But that was for them to think of. When the King of Prussia was to be soothed and conciliated, his zeal to be animated, and his flagging spirit to be revived, they could only find a proper agent from among their number (Lord Yarmouth *.) Nor could they even find fit couriers to carry home the dispatches on this important embassy out of their ranks (Lord George Conway, &c.) When they stood in need of a person to preserve peace and cordiality between the Allies, they

* Lately Lord Beauchamp, eldest son of the Earl of Hertford, now Marquis Hertford. In Lord North's administration, Lord Beauchamp held the office of keeper of his Majesty's Household.

made the same application to Lord Malmesbury *. Did they want a person to preach to the people of Toulon the blessings of an undefined monarchy, they applied to the same quarter (Sir Gilbert Elliot.) Did they require a person to conduct the affairs of a neighbouring kingdom, they could find no man conversant with the forms of Parliament, and properly versed in the conduct of public affairs, but in their number, (Mr. Silvester Douglas †.) Did they feel it necessary to appoint an attorney-general to the Prince of Wales, a Welch judge, or a standing Counsel to the India Board:—so destitute and barren of all talents, learning and experience, were their own benches, that they were obliged again to look to the other side of the house, and to heap all the three offices on one man, (Mr. Anstruther.)

“ I do not mean, Sir, to impute to gentlemen improper motives, but it is a little singular, that just at the time when they thought their country in danger, they should not have given their support to the Government without the creation of so many new places of enormous emolument to themselves. His Majesty laments the burthens that are to be laid on his people, and yet Ministers are thus lavish in courting, nay purchasing deserters by the most shameful prostitution of the national treasure; I take it for granted that they have been forced thus to look to the other side, because the nursery for Statesmen formed by the Secretary of State opposite to them, has not yet reared a sufficient number of plants for the necessary consumption. I dare say that though our Chiron is slow in his march, he will improve as he goes on; and perhaps this year we shall be called upon for an additional sum of money to turn the nursery into a hot-bed. It is said, that if we were desirous of making peace, we have not the means—With whom shall we treat? I answer, with the men that have the power of the French Government in their hands. I never will disdain to treat with those on whom I make war: and surely no wise nation ought to persevere in the idle disdain of a negotiation with those who are a match for them in war. A Right Honourable Gentleman opposite, said, that what made him first think of a negotiation with America, was his looking at General Washington's army; he had looked at it on the right, on the left, on the centre, and according to his curious phrase, he could not *accommodate himself* any where. The same was surely true of France, we had tried it on all sides, on the south at Toulon, on the west by the Rhine, on the north by Flanders, on the east, by our spying glasses, at St. Maloes, and we could no where be accommodated. But I see notwithstanding our fatal experiment, we are doomed to go on; the fatal determination is taken, and there is no rational hope that the good sense and spirit of this house will reverse the decree.”

* Formerly James Harris, Esq. K. B. Ambassador at various European Courts.
 † Barrister, brother-in-law to the Earl of Guildford.

Mr.

Mr. Sheridan took a rapid and masterly review of the proceedings of the campaign, to shew that Government had not displayed a single exertion becoming the dignity of the nation, or calculated either to maintain the splendor of our name and arms, or to accomplish the object of the war; that our trade had every where been left to fortune; the American shores completely exposed: and here he gave an affecting picture of the fate of Captain Courtenay, and shewed that even in the points of our attack, particularly at Toulon, Dunkirk, &c. &c. we had seen nothing but incapacity and blunder in the execution, as well as disaster in the event. These things must, he said, be the subject of parliamentary investigation. It was not enough that our precipitate retreat from Dunkirk was hushed up and compromised between the Master-General of the Ordnance and the First Lord of the Admiralty, because one of them was brother to the Minister. With respect to the transactions of Toulon, without stopping to enquire whether the destruction of the ships was consistent with the laws of war, he would demand by whose orders the Constitution of 1789 was first offered to the people, and by whose orders that offer was broken to them; and it must be a subject of enquiry how Lord Hood, who had so freely taxed General O'Hara with not keeping his word, had himself broken his word to the nation, about the strength and resistance of the place. The execution of the plan for the destruction of the ships, he would prove, was mismanaged in all that depended on the part of Lord Hood; for at the Babel council of the uncombined armies, an offer was made to undertake the destruction of these ships, which appears to have been accepted; and yet such an inadequate force was given for the purpose, as to oblige Sir Sidney Smith to leave fifteen ships of the line unconsumed. He reproached them also for the expedition of Earl Moira, which was talked of so long as to deliver over all the unhappy Royalists on the coast to massacre. The expedition of Sir Charles Grey had been equally ruined by protraction; and with respect to the whole of our naval campaign, it was in vain to enter into the detail; for no man could with truth assert, that we had any where presented a formidable aspect to the enemy. Of the conduct of the channel fleet he would not say one word; he was sure that the noble Admiral had exerted his utmost talents in the service, though they all knew the industrious pains that had been taken to throw unmerited reproach upon him. That our trade had not been protected, the fact of the channel being now, or very lately, at the mercy of a few French frigates, was a most glaring proof. He said, that he did not mean to propose any

amendment; he should be inclined to support, however, any amendment that went to declare that this country ought to treat for a peace, whenever an opportunity for that purpose presented itself. [Mr. Sheridan's was generally allowed to be a most captivating and brilliant speech.]

Mr. Windham defended Lord Mornington against the accusation of not having spoken to the question. The noble Lord had recapitulated the conduct of France in a manner so masterly, so true and so alarming, as seriously to fix the attention of the House and the nation. The Honourable Gentleman had warned the House to beware of continuing a war which he had described in terms of reprobation. But, was the war to be avoided? No: the Right Honourable Member had himself adduced numerous arguments to prove it was not. For his own part, his mind was made up for war. During the last sessions of Parliament, most gloomy pictures had been drawn, and prophecies pronounced of the misfortunes that were to ensue; which the progress of the campaign had falsified. There had indeed been a variety and fluctuation of events; and if he were at present asked his opinion of these events, dating from the state in which we were six months ago, he would frankly own it might be called unsuccessful; though if considered as it ought to be from the commencement, he should then affirm it was the very reverse. Neither would he allow it to be true, that the interference of England had produced union and energy in France. It was the duty of other Governments to interfere; for France was making war against all Governments, all religion, and all principle. To war had all the crimes committed by the French been attributed; but crimes could exist, and factions could exterminate each other without the aid of war. Since the Revolution, France had become the enemy of every Government; for the monster was "born with teeth." Flanders had groaned under the yoke of the French during their short residence in those fruitful provinces, which had not only been pillaged but obliged to conform to the revolutionary mandates of the invaders, though no people were more religiously devoted to their ancient forms, and the Government of their progenitors, than the inhabitants of the Netherlands. How was it possible to preserve peace with the French, who find grounds of quarrel with every nation that dares to suspect the purity of their intentions: What nation had ever professed more peaceful principles of conduct; and what principles had ever been more productive of war? Why was the injustice of our interference with the internal Government of France, so much insisted on? Let any man examine the conduct of these reformers,

reformers, and deny, if he dare, the effervescence with which they interfere in the Government of other nations. Mr. Windham then discussed the inability of Civilians to give rhetoric rules sufficient for the regulation of nations in all cases, especially one so unforeseen as the present; and then cited Vattel to shew that that writer's great authority was rather favourable than otherwise to the proceedings of England on this emergency. Again he adverted to interference in internal affairs, and demanded what must become of the balance of power without such interference? He insisted that the internal regulations of all countries, frequently did, and those of France at present especially, affect the neighbouring powers. Who so precise, who so solemn as the French had been in instituting rules? Who so apt at breaking them? The fate of the Brissotines too had been deplored; for his part he saw it was true indeed, that they "did but teach bloody instructions, which being taught returned to plague the inventor. Even-handed justice gave back the ingredients of the poisoned chalice to their own lips." Brissot and his opponents were manufactured of the same stuff, a part of the same web. The energy of the French, Mr. Windham said, had been emphatically described; but if they were energetic, what ought we to be? Superior as our cause was, should we slumber, should we be outstript, basely sue for peace, proclaim our cowardice, and avow our inferiority? No, this was not the spirit of Britons, it became not their bravery, nor was it usually adopted in their practice. Never was there a period in which British arms had shone with greater lustre. Standing as we do, the defenders of the present and the future world, ought we meanly to crouch in cowardice, and supplicate in despair? Besides, by submission we could only degrade ourselves, without obtaining present redress or future safety. Mr. Windham adduced many other argumentative distinctions, nicely logical and difficult to report.

Mr. Secretary Dundas began with declaring that the Honourable Gentleman (Mr. Sheridan) who had preceded Mr. Windham, in the debate, eloquent as that house had often heard him, had never displayed language more forcible, talents more brilliant, or powers more astonishing. Nor was he barren of praise to the Right Honourable Gentleman (Mr. Windham) who spoke next in turn. Having paid this handsome tribute to genius, Mr. Dundas entered into a defence of the measures of Administration, willingly took his share of responsibility, and declared, that instead of errors, if errors they could be proved, he gloried in the part it had been his lot to take. Situated as this country was at the commencement of hostilities, great exertions had

had been expected, and he was proud to aver, that they had not only been fulfilled, but had even exceeded hope, and totally outrun expectation. Never was there a period in which they had been equalled. In the month of September 1792, the number of seamen to man the British navy, amounted to no more than 15,000. This very inadequate force, by the foresight and activity of administration, received a supply of 54,000 men. We had then only thirteen ships of the line in commission, and these were with miraculous celerity, augmented to eighty with frigates in proportion. Of land forces we had only 9000, and by exertions no less extraordinary, 30,000 recruits had been raised. He appealed to the house, whether the wisdom with which all this had been planned, and the œconomy with which it had been effected, could merit the asperity with which Ministers had been censured? did it not, on the contrary, demand the most unequivocal applause? What were the objects to be pursued? The intentions of the enemy were to be penetrated, their motions watched, and their plans counteracted. In the month of March, Ministry received intelligence of a French squadron destined to the West Indies, and Admiral Gardner was immediately dispatched with a sufficient force, in quest of them. The Mediterranean was the next immediate object of concern, the trade of which amounted to a million sterling, and there the French flag, at that time, reigned triumphant. But soon Lord Hood appeared, and never was conduct more masterly, or effects more glorious. The Italian States threatened, and trembling in terror, took shelter under the British wing, and there found safety. The most sanguine had never indulged hopes equal to these effects. The next great object was the channel fleet, and to this the most assiduous attention had been paid, and with the same success. The cases of the naval department were numerous indeed, and embarrassing; but what praise could be too great for his Majesty's servants, to whom this great trust was committed; when it was remembered, that instead of culpable remissness, and an exposed trade, as had been alleged, it should be found that fifty convoys had been provided for the safe-guard of our trade, and that not one ship under their protection had been lost. An Honourable Gentleman had blamed Ministry for leaving the coast of America exposed; but it was known that their attention had been called to the West Indies. Tobago had been taken; and though we had failed at Martinico, the fault rested with the inhabitants, who had invited Britain to yield them succour, had asked only a small force, and when a much larger had been sent, did not act with that firmness and alacrity which were necessary to success. He owned himself to be one of those

the
wh
of
to
the
of v
cou
and
their
to de
the f
as th
tion
plicit
Gove
could
stated
had be
was no
they ha
cellor o
he depr
said, th
provided

those who fought for, and expected indemnification for the expences of the war, and he knew not where to look for it so effectually as the West India islands. Our own islands were not, could not be secure, while France should possess all the islands she held at the commencement of the war. Was it therefore not highly laudable in Government, to turn its attention to that quarter where success had been the most probable? At St. Domingo, we were at present in possession of Nicola-mole, its strongest fortress, and Port Jeremy, which had escaped the ravages by which the island in general had been desolated. Vigilance in these latitudes was indeed necessary, for it had been the plan of France to send emissaries among the negroes, excite them to insurrection, and thus afford employment for our arms to quell tumult in our islands, while she should pursue her baneful projects in Europe. In the course of his speech, the Right Honourable Secretary pronounced the eulogium of our officers, particularly of Lord Hood; and applauded the masterly manner in which the evacuation of Toulon had been effected. Our successes had indeed been great, and never was there a first year of any war on record, that had been equally fortunate.

Mr. Fox said, that notwithstanding the lateness of the hour, the importance of the question, and the confused mode in which it had been treated by the advocates for the prosecution of the war, rendered it necessary for him to attempt, if possible, to dissipate the mist in which it had been involved; he would therefore endeavour, once more, to obtain an explicit declaration of what was the real object of the war, that the people of this country might be no longer the dupes of artifice and delusion, and made to believe, that they are expending their money and their blood for one purpose, while in fact they were called upon to do so for another. On this point the last few minutes of the speech of a noble Lord (Mornington) long and eloquent as the whole speech was, had afforded more valuable information than all the rest. The noble Lord had said, in very explicit terms, that as long as the present, or any other Jacobin Government subsisted in France, no propositions for peace could be made or received by us. He wished this had been stated last year; and that neither the house nor the country had been drawn in to countenance a war, the object of which was not fairly explained to them, till, as they were now told, they had gone so far that they could not recede. The Chancellor of the Exchequer, in the debates of last session, although he deprecated the continuance of a Jacobin Government, yet said, that he would not consider that as a bar to a negociation, provided the objects then held out, viz. the safety of Holland, and

and the exclusive navigation of the Scheldt could be secured; and he illustrated his doctrine by his practice, for he actually did open a negociation with persons deriving their powers from the then Jacobin Government of France. What then became of the argument, that there could be no safety for neighbouring states, no security for the observance of any treaty while such government was permitted to subsist? That negociation, he should perhaps be told, was never meant to succeed, and well did the mode of conducting it justify the supposition; but why was it not to succeed? That the people of England might be deluded into a war on a false pretence of defending an ally, while the real object was the subversion of the ruling power in France. Again he would ask the question, although he should shudder to hear the melancholy information; but if it was so, let it be unequivocally said, that we were engaged in a war which could have no termination, till we had exterminated French Jacobinism, in other words, till we had conquered France. In the presumption of certain theories of our own, we were to stake the wealth, the commerce, and the Constitution of Great Britain, on the probability of compelling the French to renounce opinions, for which, we had already seen, that they were ready to sacrifice their lives. This at least was the case, if the majority of the House had come over to the system of extermination which was last year avowed only by a few.

He admired the speech of the noble Lord, and that of his Right Honourable Friend (Mr. Windham) the less, because much of both was only imitation or translation of speeches and reports in the French Convention. The noble Lord asked, if we would trust to the religion of Robespierre, the finance of Cambon, or the moderation of Danton? The answer of the French Convention to his Majesty's Declaration appeared in terms not decent to be mentioned in that House, to the wisdom of our Monarch, the good faith of another, and the chastity of a third. His Right Honourable Friend treated Vatel with as little respect as M. Genet, the French Minister to the United States of America. "I would throw Vatel and Grotius into the sea," said M. Genet, when their principles interfered with his notions of the rights of nations. Just so would his Right Honourable Friend treat them when they controverted his ideas. By some strange fatality we were now constantly reprobating the language and practices of the French, and as constantly copying what we reprobated. More inclined as he was to follow experienced rules of judging and of speaking, he held the opinions of eminent and learned men, dif-

dispassionately given on subjects which they had studied, as of great importance in regulating their conduct. Vatel, than whom he knew of no man more eminently learned in the science on which he had written, laid it down as a principle, that every independent nation has an undoubted right to regulate its own Government; and on this authority he had reprobated the conduct of Austria and Prussia in attacking the French, for no reason but because they were attempting to regulate their government; a conduct which he feared had been more fatal to the political morality of Europe, than any thing the French had yet done. It was true, as his Honourable Friend (Mr. Sheridan) had stated, that the French were not alone chargeable with the carnage which had wasted Europe. The Duke of Brunswick's Manifesto he considered as the signal for carnage, and a general war. For carnage, by whomsoever committed, he was no apologist; it was equally repugnant to his feelings and his judgment; and therefore he had kept himself clear of all concern in measures which tended to lead to it. But those who negotiated the treaty of Pilnitz, impartial posterity would pronounce guilty; and this country, if it had acceded to that treaty, would not be acquitted. To the treaty of Pilnitz he traced the origin of the war. Could it be pretended that France had been in all cases the aggressor? Had she been so with respect to Prussia? The proof was obvious. We had a treaty of alliance with Prussia, by which we were bound to furnish certain succours if Prussia should be attacked. Were we called upon for those succours?—No such thing. Sufficient evidence that Prussia did not consider the war with France as a war of defence, but a war of aggression, voluntarily undertaken.

Whether we or the French were originally the aggressors, made no great difference now. This much we know, that they offered to negotiate, and that all their proposals were treated with disdain and haughtiness, which could not fail to render peace impossible. Robespierre, that great authority, whom the advocates for the war never failed to quote when they found him on their side, accuses Brissot of having involved France in the war with this country. On the strength of Robespierre's impartial judgment in the case were Ministers exculpated from the charge of having caused the war. Such were the arguments on which their friends defended their conduct! At that time, contrary to the opinion of many of his friends, in the face of almost the reprobation of that House, he had recommended negotiation in preference to war; and painful as it was to him to differ from men whom he had long loved and

M

esteemed,

esteemed, on the most mature reflection, he felt as much solid satisfaction in the advice he had then given, and the conduct he had pursued, as it was possible to derive from the consciousness that they were precisely such as they ought to have been.

But the origin of the war was now a secondary consideration. The main question was, how can it be concluded? His opinion still was, that we ought to treat with the present, or any other government to which the present may give place in France; while others said, and an awful consideration it was, that no treaty with any modification of Jacobin Government could be secure. The question of security he would now examine, considering an attempt to negotiate in the only two points of view, under which, as appeared to him, it could possibly fall. His own opinion, or rather his conjecture, was, that peace might be obtained. But however well or ill founded this might be, we were first to consider whether such a peace as might be supposed attainable was so desirable as to induce us to negotiate; and next, whether failing in the negotiation would be attended with such dangers as ought not to be hazarded. However we might abhor the conduct of Frenchmen towards Frenchmen, whatever indignation we might feel against crimes from which humanity shrunk aghast, hatred of vice was not a just cause of war between nations. If it were, Good God! with which of those with whom we are now combined against France should we be at peace? We, proud of our own freedom, had long been accustomed to treat despotic governments with contempt, and to mark the vices of despots with vigilant sensibility. Of late, however, our resentment had been most readily excited by the abuses of Liberty; and our hatred of vice was very different on different sides. In France an old despotism is overturned, and an attempt made to introduce a free government in its room. In that attempt great crimes are committed, and language is ransacked, and declamation exhausted to raise our indignation and excite us to war against the whole people. In Poland, liberty is subverted; that fair portion of the creation seized by the relentless fangs of despotism; the wretched inhabitants reduced to the same situation with the ancient slaves of their new masters, and ordered to sing *Te Deum* for the blessings thus conferred upon them;—and what does all this produce? Sometimes a well turned sentence to express our sorrow. But hatred of vice is no just cause of war, nor ever was among nations; and when he heard men declaim on the crimes of France, who knew how to reason as statesmen, he could not but suspect that they meant to deceive. Such a
peace,

peace, it was next said, would not be secure. He admitted that it would not be so secure, for the permanent interest of this country, as he could wish; but it would be as secure as any peace that had been made with France at any other time, and more so, than any that they, who would make no peace without the restoration of the monarchy, could ever expect to make. The present rulers of France had declared themselves our natural enemies; they had contrived schemes and sent emissaries to overturn our Constitution. Had not all this been constantly done by Louis XIV.?—Was he not the declared enemy of our Revolution? Did he not keep up a correspondence with the Jacobite party among us; and endeavour by force and artifice, to overturn our establishment in Church and State? Had our new fangled politicians lived in those times, they would have said, before the peace of Ryswick, “What! treat with Louis XIV. who has made war upon you unjustly, who has fomented treason and rebellion, who has attempted to destroy all that you hold sacred, and instead of a limited monarchy, and the Protestant religion, impose upon you the fetters of despotism and Popery!” Such must then have been their language, but King William and his Ministers would have thought those who held it fitter for Bedlam than a Cabinet. It was said, that the Jacobins have threatened to over-run Holland, and extend their conquests to the Rhine. Did not Louis XIV. invade Holland? Were his projects of conquest so moderate as to be confined within the Rhine? The whole argument then comes to this, that you must be satisfied with the best security you can get, taking care that the power, with whom you make a peace, shall have no temptation to break it, either from your misconduct or want of vigilance. The best security for Holland is the Emperor’s possession of the Netherlands, and repairing the fortifications of the barrier towns, which the Emperor was bound by treaty to maintain. Whether the Emperor should be obliged to do this at his own expence, or whether Holland and Great Britain should assist him, was matter of discussion; certain it was, however, that it would cost us much less than another campaign. If we looked at the declaration to the people of France, the first idea presented by it, although afterwards somewhat modified, but again confirmed by the declaration at Toulon, was, that the restoration of monarchy must be the preliminary to peace. Now suppose that instead of the Jacobin Republic, some stable form of government, but not a monarchy, should be established, with which we might think it safe or necessary to treat, what would become of our promises to Louis XVII. and

the people of Toulon? Then as to our security, according to the declaration, as soon as the French have a King we will cease to make war upon them, and they may set about modifications of their monarchy. But how are these to be made? Not certainly with a guard of German troops surrounding the hall, where those meet who are to make them. France will then be left in precisely the same situation as in 1789, from which flowed all the mischiefs that are now said to render it impossible for us to treat with them. Such is the notable security which the minister proposes to obtain by way of indefinite duration!

The same minister promised at Toulon, or those whom he employed promised for him, to restore the Constitution of 1789, and it was in fact restored there. Louis XVII. was not styled King of France and Navarre, &c. but King of the French, and all the authorities appointed by the Constitution of 1789, were re-established. How did this agree with the conduct of our Allies? While we were in possession of Toulon, General Wurmser entered Alsace, where he issued a proclamation, dismissing all persons appointed to offices under the Constitution of 1789, and restoring, till further orders, the ancient system, which we are apt to call despotic. He would suppose a thing too absurd to be supposed, but merely for the sake of argument, viz. that France were brought to submit to whatever we chose to propose. Must she have a King? She consents—Must that King be Louis XVII.? She consents—What in this case would be our security? Ministers do not mean to restore to France all they may take in the course of reducing her to this submission. By their own declaration, they must have an indemnification for the expence of their services. Admitting that Louis XVII. would have a proper sense of gratitude; and that gratitude in Kings is stronger than in other men—a position, however, rather doubtful (for although, “as rich as a King—as happy as a King,” and many more of the same sort were common sayings, “as grateful as a King” had not become proverbial); yet as Monarchs must be subject to the voice of the people, what as Frenchmen would their voice be?—“That France was deprived of her former possessions, that she was shorn of her ancient lustre, and that no fair occasion should be lost of regaining what had been ravished from her;”—and thus France would seize the first opportunity of attacking us, when we might possibly have no ally but Holland, and when Prussia or Austria might be leagued with France. Would any man say, that this was not the probable course of events? Unless, indeed, it could be shewn, that Princes were more honest and true to their engagements

gagements than other men; but from what history he could collect this observation, he was yet to learn. There were certain high stoical sentiments, such as "we know what becomes us to do, and *that* we will do, regardless of consequences."—On such sentiments men might act, if they pleased, for themselves, but they had no right to act so for their constituents. Were Gentlemen ready to say with Demosthenes, that seeing all the calamities which must follow from their conduct, yet these calamities they would brave; and all this for the crusade against the Jacobins!

When he heard that the success of the campaign was to be made matter of boast in the King's Speech, he thought it the highest pitch of effrontery to be found in the annals of any nation. Little did he imagine that his Majesty would think it necessary to recapitulate from the throne all the successes obtained before the rising of the last Session of Parliament—successes of which they had been told over and over. If, however, these successes were to be estimated from June, when his Majesty last addressed the Parliament, to what would they amount? or if, which was indeed the only rational mode of forming a judgment of the future, the situation of France when first attacked by Austria and Prussia, were compared with her present situation, what was the prospect of final success? Far from imagining that he should have had to contend, that the campaign had been neither successful nor glorious, he expected to be asked, when he came to talk of peace, "what! are you so pusillanimous as to suffer your spirits to be depressed by a few untoward events? Would you advise to degrade your country so far as to offer terms of peace now, which we disdained to offer in June, when our good fortune was at its height? When we have been repulsed at Dunkirk; when the Prince of Saxe Cobourg has been repulsed at Maubeuge; when we have been driven from Toulon in a manner afflicting, if not disgraceful; when General Wurmser has been routed in Alsace; the siege of Landau raised; and the Duke of Brunswick can scarcely protect the German cities on the Rhine—to offer terms of peace would be to supplicate, not negotiate."—Such an appeal to his feelings for the dignity of his country, he must have endeavoured to answer; but from this task he was completely relieved by ministers boasting of their victories. If the advantages we had obtained were such as they represented them to be, we could negotiate without dishonour; we could assume the dignified character of being in a condition to dictate the terms of peace, and of forbearing to insist on all that our superiority entitled us to demand. Here then was an additional reason for pursuing

suiving the course which he recommended. The Right Hon. Secretary (Mr. Dundas) had said, that our object in the West Indies was to gain a solid advantage for ourselves, as an indemnification for the expences of the war. This, however, was a distinct object from that of giving such a government to France, as ministers might think it safe to treat with; and in many respects contradictory to the other. In pursuance of the object of solid advantage to ourselves, whatever islands we took for Louis XVII. we must wish to keep; and as we wished to keep the islands, must wish that Louis XVII. who would have a right to demand them of us, should not be restored; and thus our two objects would run counter to each other.

The Right Hon. Secretary had said, that if we were to make peace with France on the principle of *uti possidetis*, the campaign would be the most advantageous and the most glorious on the records of history. Advantageous in that point of view it certainly might be; but glorious it could hardly be called, when it was considered that we were leagued in it, with so many other powers, against a single nation whose force we had formerly met, not only without allies, but with those who ought to have been our allies marshalled under the standard of our enemies. But the real object of the war was to destroy the Jacobin power in France. Had we succeeded in that object? Was it not clear to the apprehension of every man who possessed the smallest degree of information, that we were more distant from it than ever?

The Right Hon. Secretary had said, that ministers had been much embarrassed about sending the forces then at their disposal with Sir Charles Grey to the West Indies, or with the Earl of Moira to co-operate with the Royalists in France. The answer was easy. If their war with the persons who now govern France was, as their friends now professed it to be, *Bellum internecinum*, they ought not to have hesitated a moment. Assisting the Royalists would have most materially promoted their object. He hoped that, as sometimes happens to men fluctuating between two purposes, they had not so divided their attention as to render both ineffectual.

It was true that he, and those who thought as he did, had stated the dangers that were to be apprehended from war; but he appealed to the recollection of every man who heard him, whether they had ever said, that the war was likely to be terminated in one campaign. On the contrary, was it not the meaning, if not the express terms of the speeches made by those who advised going to war, that one campaign would be sufficient? Did not ministers know that the same idea had been circulated by every ministerial scribbler in every ministerial

rial

rial newspaper? and was it not notorious, that this delusion had induced many persons to approve of the war, who would have otherwise opposed it? His Right Hon. Friend (Mr. Windham) had ridiculed the idea of the war having united the French among themselves. Had it not united them? and what was worse for the cause of the allies, given them an energy not easy to be withstood? At the close of the last session of Parliament, they had two parties struggling for power—Marseilles, Toulon, Lyons, Bourdeaux, la Vendée, in a state of rebellion, or on the point of rebellion. All those, in addition to the force of ten combined foreign powers, had France then to contend with; and as far as could be collected from information, there was not now an insurrection from one end of France to the other. What then was the inference? That there was no probability, nor even possibility, of overturning the Jacobin government of France in another campaign, nor in another to that. The French were now inspired with such an enthusiasm for what they miscalled liberty, that nothing but absolute conquest could induce them to listen to any plan of internal government proposed by a foreign power. Considering the spirit of the French in this point of view, he was not much comforted by any thing that had been said of their finances. The arguments of the present day reminded him of what he had heard in the American war. The Americans were represented as destitute of money; as making temporary exertions by means of paper, which a few halfpence might buy to the nominal amount of 100 dollars; as exercising on one another the most intolerable tyranny; on the Royalists, the most unheard-of cruelty—and then came what was now the master argument, that if such principles of resistance were suffered to exist, there must be an end of all civilized government, and the monarchy of England must be trampled in the dust. He was not then deterred from recommending, what he now recommended—negotiation, while negotiation was practicable. He lived to see Great Britain treat with that very Congress so often vilified and abused; and the monarchy subsist in vigour full enough, certainly fuller than it had ever before subsisted in since the Revolution. If it were not presumptuous for any man to reckon on his own life, he might say, that he should see Great Britain treating with those very French Jacobins—and might the period be as favourable for making peace as the present!

Having contended that as much security might be obtained by treating now with France, as in any case that came within experience, or was presented by theory, it remained only to prove that if negotiation should fail, we had much to gain, and

and nothing to lose. We should demonstrate to all the world that the war, on our part, was strictly defensive; and we should convince the people of England that their money was not expended to gratify the caprice of an individual, but to protect the honour and the interest of the country. In France the advantage would be still greater;—in France, where enthusiasm supplies the place of military discipline and military skill—where it makes the people submit to tyranny almost beyond human patience—we should diminish that enthusiasm by shewing them that they are not engaged in a war of defence, but a war of conquest.

Mr. Fox then entered into an examination of the conduct of the war, which he shewed had been deficient in every material point. "If," said he, "any independence of spirit remains in this House; if there is a man in it not the sycophant of ministers, that man cannot hold up his head and say, he does not in his conscience believe that the campaign, as far as this country is concerned, has exhibited nothing but the imbecility of those who planned it. The minister possesses great talents, and great eloquence; and his having been so long in office must have considerably increased the number of his admirers; but he must pick and choose from the very lowest class of those who pay court to him, before he can find thirty persons, even at his own table, who will say that he is a war-minister. They will tell us that he may do better another time; but how much British blood and treasure must be lavished, while the minister is serving his apprenticeship to this trade of war? Mr. Fox proceeded to consider the conduct of ministers towards neutral powers; in the course of which he was led to speak of America, and paid a high-wrought compliment to the character of the President, General Washington.

He concluded with moving an Amendment to the Address, the same in substance as that moved in the House of Lords.

The Chancellor of the Exchequer said, the question which had been brought forward by the Right Hon. Gentleman who spoke last, amounted to little less than negating the Address, and upon this principle, what had previously been said, exactly referred to the subject of debate. From the length to which the discussion had been carried and the lateness of the hour, it was impossible for him to go much into detail; yet in circumstances of such peculiar and transcendent importance as the present, though he could add little more in point of argument, he considered it as incumbent on him expressly to deliver his opinion on several points which had been urged by the Right Honourable Gentleman. He still considered it as necessary in the present stage of the question, to refer to the
original

original grounds upon which the war had been undertaken. The Hon. Gentleman on the other side had told them, that these were of little consequence; and had insisted, that a secure and honourable termination of the war, was the only point which ought now to occupy their discussion. It became more necessary to refer to these original grounds, as, while the present system continued, there was no probability for any such termination in the present moment. In recurring then to the principles on which they had set out, it would appear, that the present war had not been hastily and rashly engaged in, but after due deliberation and mature conviction. It had been the opinion of the majority of that House, and of the great body of the nation, that it was undertaken upon grounds strictly defensive; and that the nation was equally compelled to engage in it by the obligations of duty, and the urgency of necessity. An Hon. Gentleman had asked—Would not we have engaged in the war even if France had not previously declared against us?—To this he would answer, what he had last session asserted, That if we did not receive satisfaction for past injuries, and security with respect to the future, most certainly we would. From the conduct of France, the war, in whatever form it appeared, could only be considered as aggressive on their part. As to what were the objects of the war in the first instance, they had been stated by his noble friend (Lord Mornington). These objects were—First, That the system adopted by the French, had developed principles destructive to the general order of society, and subversive of all regular government. Secondly, That the French themselves, with a view, no doubt, of extending their system, had been guilty of usurpations on the territory of other states. Thirdly, that they had discovered hostile intentions against Holland. Fourthly, that they had disclosed views of aggrandizement and ambition entirely new in extent and importance, and menacing in their progress not only the independence of this country, but the security of Europe. Unless it can be shewn, that we were originally mistaken; that these were not proper objects of contest; or, that these objects are already gained; the obligations and necessity which originally induced us to undertake the war, operate with equal force at the present moment. In that case, even supposing that disappointment and difficulty had occurred in the prosecution of the war, they ought to have no other effect than to inspire us with additional vigour and stimulate us to new exertions. Though not insensible to any failure or miscarriage that might be ascribed to the misconduct of those employed in conducting the operations of the war, yet these could not

at all affect the general question, even if their conduct had as much demerit as had been stated by the Hon. Gentleman on the other side. However unpleasant he or his colleagues might feel from that peculiar situation of responsibility in which they stood, that was no reason why there should be any alteration in the sentiments of the country. If those disappointments and difficulties arose, not from the nature of the contest, but from the misconduct of those entrusted with the management of public affairs, the nation were not therefore to be discouraged in the career of exertion, and to shrink from their duty. If those persons who conducted his Majesty's councils were unequal to the task, let us not think so meanly of the abilities of the country, as to suppose that there are not others of superior talents, without resorting to the few individuals who have ever since its commencement discovered principles inimical to the war. Surely it is not necessary to suppose that all the abilities of the nation were exclusively monopolized by those individuals. But if, on the other hand, the difficulty was ascribed to the nature of the contest itself, which, however, he should much more regret, then would the argument with respect to the misconduct of ministers, or of those concerned in conducting the active operations of the war, be much weakened. He said, he would proceed briefly to take a view of the different stages in which the question of the war had been debated. At the conclusion of last Session, he had placed its termination upon two circumstances: First, the being able to procure a peace upon terms likely to render it secure and permanent; and secondly, an indemnity suitable to the expence which the nation should have incurred in carrying on the war. He had therefore, in the debate at the conclusion of last Session, held out as a means, not only of annoying the enemy, but of securing those desirable ends, the propriety of an interference in the internal government of France. Not that he had absolutely insisted upon an entire subversion of that government; he had always asserted that if a peace could be made upon terms of security to this country, no consideration of the detestable characters of the ruling men in France, or of the crimes and horrors with which they were sullied, ought to influence this country to reject such terms. The Hon. Gentleman had then admitted this principle to be right both in point of expediency and morality. He must here advert to an unfair mode of argument which had been employed by the Hon. Gentleman. He had endeavoured to give a different turn to sentiments, by confounding the periods at which they had been brought forward. When the strict neutrality observed by this country, with respect to

France,

France, had been mentioned in his Majesty's Speech, no injury had then been received from France. When the system altered, the same sentiments could no longer apply. If a foreign country divided into two parties had discovered hostile intentions with respect to a nation, it would surely be perfectly fair to endeavour to oppose these parties to one another, so as to defeat the effects of this enmity: More especially, if the continuance of a system was the ground of that enmity, an interference to destroy that system was particularly justifiable. Such was the precise state of the case between France and this country. Last year this interference had been avowed and admitted as a ground of action, and its propriety could not surely now be denied. Since last year, a new scene had been opened, more eventful and extraordinary even than those which had formerly been exhibited. However the horrors and crimes which had taken place in former periods of the Revolution might have exceeded all expectation, and transcended even the utmost stretch of imagination; they now appeared only to have paved the way for fresh horrors, and accumulated crimes beyond whatever fancy could have feigned or fear conceived. Things had come to such a crisis, that he had no difficulty to declare, that while that system continued, peace was less desirable to him than a war under any circumstances of disaster which he could possibly imagine. Not that he would contend that the mere abhorrence of crimes, that the mere detestation of character, except directly bearing upon our own safety, could constitute any reasons why we should engage in a war; but, in the present instance, the reasoning of his noble Friend directly applied; that reasoning had gone—first, to shew the horror and enormity of the system which now prevailed in France: Secondly, the danger of the extension of that system, if not speedily and effectually resisted: Thirdly, the measures which were employed for the purpose of extending that system: Fourthly, the prospects of success, which we derive from the very nature of those measures, in our attempts to crush the progress of that system: And fifthly, that the success of those attempts depends upon the vigour of our warlike efforts; and that the circumstances of the case were such, as entirely precluded all negotiation. The speech of his noble Friend had been styled declamatory, upon what principle he knew not, except that every effort of eloquence, powerfully exerted, was to be branded with the epithet of declamation. The propositions, which he had brought forward, had been urged, not in a vague and general way—they had been supported by strong facts. The history of the rulers of France had been taken from their own mouths, from records

written under their inspection, and decrees sanctioned by their authority. From the nature of their government, there could be no dependance on the characters of whom it was composed. The shifting of persons took place like the shifting of scenes; but the principles and proceedings still continued the same, or only were distinguished in their progress by increased gradations of enormity. On the 21st of May, a new government, more dreadful in its character, and more fatal in its effects, had taken place—this was the Revolutionary Government.—His noble Friend, the Chancellor of the Exchequer said, began by stating, that one of the leading features of this government was the abolition of religion. It will scarcely be stated, that this step could only affect opinions, or have no influence upon the conduct of a nation. The extinction of religious sentiment was only intended to pave the way for the introduction of fresh crimes, and entirely to break asunder those bands of society which had been already loosened. It was intended only to familiarize the mind with guilt, and by removing the obstacle of fear, to relieve it from the restraints of conscience. Infidelity, as his noble Friend had remarked, was only meant to go hand in hand with insurrection. A second measure of this revolutionary government was the destruction of property, a precedent which tended not less to destroy all ideas of justice, than the former to extinguish all sentiments of piety. Not less detestable was their conduct in their mode of inflicting punishments—a mode which took away from the accused all privilege of defence, and from their trials, even the appearance of legal forms. All these crimes, however, they contrived to convert into sources of revenue. From the pillage of the churches—from the destruction of property—from the confiscation of the effects of those who were condemned, they derived the means for conducting their military operations. They pushed every resource to its utmost extent, as for instance the unbounded circulation of Assignats, and the imposition of a forced loan. What can be expected from a system acting upon such principles, and supported by such resources? Resources so desperate afford in themselves the most certain symptoms and indications of the approaching decay of that system with which they are connected. If then such be the system—if such the means of its support; and if France in consequence has during these few months experienced a degree of distress, the greatest perhaps ever known in any country, what prospect can there be of either stability or permanence to the present order of things? Can it be supposed to rest on that something approaching to instinct—that spirit of enthusiasm which has been so highly extolled by the Gentlemen

tle men on the other side? What can we think of the probability of the duration of a system which has sent as many suspected persons to prison or the scaffold, as it has sent recruits to the field? But it has been urged, that the French have distinguished themselves in the field, nor will it be denied, that, independently of any other circumstance, the spirit of a people may make them brave in the moment of action. But their efforts are merely the effect of a system of restraint and oppression, the most terrible and gigantic that has, perhaps, ever existed. They are compelled into the field by the terror of the *guillotine*—they are supported there only by those resources which their desperate situation affords; and in these circumstances what can be the dependance on the steadiness of their operations? On this ground, the more monstrous and terrible the system has become, the greater is the probability that it will be speedily overthrown. From the nature of the mind of man, and the necessary progress of human affairs, it is impossible that such a system can be of long duration; and surely no event can be looked for more desirable than a destruction of that system, which at present exists to the misery of France and the terror of Europe.

“As to the question of the Hon. Gentleman, whether I am never to make peace with the Jacobins? said the Chancellor of the Exchequer, it is extremely difficult to answer, and it would be neither prudent nor rational in me to give him any definitive reply in the present moment. It is a question, the solution of which must depend upon a combination of events. As circumstances may vary, a different line of conduct must necessarily be pursued; nor would it be proper to bind up my discretion by pledging myself at present to one set of measures. In the present circumstances I have no hesitation to declare, that I would rather choose to persevere in the war even amidst the worst disasters, and should deem such a conduct much more safe and honourable, than to conclude a peace with the ruling powers in France, on their present system. The question of pursuing the war must, in every instance, depend upon the convenience, with which it can be carried on to ourselves, and of that you must be best qualified to judge. On this great and interesting crisis, I have no hesitation to state, that I should think myself deficient in point of candour, if I did not most unequivocally declare, that the moment will never come, when I shall not think any alternative preferable to that of a peace with France, upon the system of its present rulers. The question I do not now mean to argue at large, both from the very advanced hour, and from the full discussion which it has already received. I shall only touch on one or two points, which

which have been brought forward by the Hon. Gentleman in the course of his argument. His motion is certainly couched in very general terms, and such as might take in every thing that I have contended for. It recommends to his Majesty to conclude a peace, whenever it can be done upon safe and advantageous terms, without any reference to the nature and form of government which may exist in France. I likewise am of opinion, that a safe and advantageous peace ought to be concluded, but that the security and benefits of that peace must depend upon the establishment of a government essentially different from the present: But though the motion, from the general terms in which it is expressed, is calculated to gain no precise object, it is yet capable of doing much mischief. It means and says, that this House feels differently from the sentiments expressed by his Majesty. It holds out to our allies that they are no longer to consider us as eager in the cause, or acting upon the principles in which we embarked along with them; while it must impart encouragement and confidence to our enemies. The Hon. Gentleman has said, that a treaty with the French government would afford us as good a security for the continuance of peace as that which we derived from the treaty of Ryfwick or Utrecht. He then, in his usual way, entered into a declamation against Kings, and said that we might place equal dependance on the good faith of the present government of France, as on that of the Court of Louis XIV. This I expressly deny; and I affirm, that had that King even succeeded in his ambitious projects to their full extent, what we should then have suffered might have been considered as a deliverance, compared with what must be the consequence of success attending the present French system. All the splendour of his court, all the abilities of his Generals and discipline of his armies, all the great exertions which he was enabled to make, proceeded from a high sentiment of honour. The exertise of that power which he possessed, however directed to the purposes of his ambition, was regulated by certain principles, and limited within certain bounds. No such principles actuate the conduct of the present French rulers. They have contrived to banish all restraints, and with an ambition more insatiable, they have at their disposal means of destruction much more formidable than that monarch ever possessed in the plenitude of his power. The Hon. Gentleman has inaccurately stated, that I attach the same degree of importance to the restoration of monarchy in France as to the destruction of the present system.

" This is by no means the case: I attach importance to the restoration of monarchy, from an opinion that in the present state

state

state of France, some settled form should take place in which the greater part of the people may be disposed to concur. The ancient government I considered as the best materials upon which they could work in introducing any change into the fabric of their constitution. Besides, as I have thought it incumbent, in any interference which I proposed in the internal affairs of that country, to consult chiefly the happiness of the people, monarchy appeared to me the system most friendly to their true interests. In another respect, the Hon. Gentleman has misrepresented me, by stating the restitution of monarchy as an event which must necessarily be preceded by the conquest of France. I considered monarchy only as the standard under which the people of France might be united, a government which my noble Friend has proved to be most agreeable to the wishes of two-thirds of the inhabitants: But it has been said, that even the re-establishment of royalty would afford us no additional security for the permanence of peace, and that the French would still be equally formidable to this country. It is however, surely, a wild and extravagant assertion, that the monarchy of France, stripped as it would then be of much of its power, and diminished in its revenues, should be as formidable, as a system which has proved itself to be more dangerous than monarchy ever was in the plenitude of its power and the height of its greatness. But there is one part of the argument of my noble Friend to which I must particularly call your attention, and which, independently of every other consideration, precludes even the possibility of our treating with France in the present moment—a decree has been passed by the Convention, forbidding to treat with any enemy till they shall have evacuated the territories of the republic; and on the 11th of April it was again decreed, that those persons should be punished with death who should propose to treat with any power, which should not have previously acknowledged the independence of the French nation, and the unity and indivisibility of the republic, founded upon liberty and equality. Thus, by any proposal to treat, we should not only incur the disgrace of the most abject humiliation, but absolutely put ourselves at their mercy, and become subject to the necessity of receiving any terms which they might be disposed to dictate. Are you then to withdraw your armies, to deprive yourself of the co-operation of your allies, to forego all your acquisitions, to give up Condé, Quesnoi, Tobago, Fort Louis, all the factories in the East Indies?

“Are you to abandon all these acquisitions, the rewards of your past labours, and the pledges of your future success?

Should

Should you consent to do all this, should you even hasten to send an ambassador to treat with the Convention, you not only must acknowledge the unity and indivisibility of the French republic, but you must do so in their way. You must acknowledge it as founded on liberty and equality. You must subscribe to the whole of their code, and by this act sanction the deposition of your Sovereign and the annihilation of your legislature. It may be said, that they would not insist upon all this to its full extent; but of this I can have but little confidence, when I compare their past declarations and conduct. To whatever pitch of extravagance they may have reached in what they have said, they have always outstript it by what they have done. The absurdity of their expressions has in every instance been surpassed by the outrages of their conduct; nor can we have any hopes of more moderation from any change of parties. In all revolutions that have hitherto taken place, the first recommendation to favour has been hostility to England. The most violent have always predominated. The leading feature in their character at present is a spirit of military enterprise exerted, not for the purposes of ambition, but every-where spreading in its progress, terror and desolation. We are called in the present age to witness the political and moral phenomena of a mighty and civilized people, formed into an artificial horde of banditti, throwing off all the restraints which have influenced men in social life, displaying a savage valour directed by a sanguinary spirit, forming rapine and destruction into a system, and perverting to their detestable purposes, all the talents and ingenuity which they derived from their advanced stage of civilization, all the refinements of art, and the discoveries of science. In this state, can there be any question but to resist, where resistance alone can be effectual, till such time as, by the blessing of Providence upon our endeavours, we shall have secured the independence of this country, and the general interests of Europe? It cannot be doubted, that there are many other points brought forward by the Honourable Gentleman with respect to the conduct of the campaign, and the treatment of the neutral powers, which I am extremely anxious to meet, but into which the lateness of the hour forbids me to enter. My own strength, as well as the patience of the House, is already exhausted; and I more willingly postpone them on the present occasion, as they will, with more propriety, form future and separate subjects of discussion."

The

The House divided on Mr. Fox's amendment,

Ayes 59

Noes 277

Majority 218

The question on the Address, as originally moved, was then put and carried.

Adjourned at half an hour past five.

List of the Minority on the Amendment to the Address in the House of Commons, on the 21st of January :

M. Lee Antonie, Esq.	-	Great Marlow.
Sir John Aubrey, Bart.	-	Clitheroe.
Hon. Edward Bouverie,	-	Northampton.
J. R. Burch, Esq.	-	Thetford.
George Byng, Esq.	-	Middlesex.
J. B. Church, Esq.	-	Wendover.
T. W. Coke, Esq.	-	Norfolk.
E. Coke, Esq.	-	Derby.
W. Colquhoun, Esq.	-	Bedford.
J. Courtenay, Esq.	-	Tamworth.
T. C. Crespigny, Esq.	-	Sudbury.
John Crewe, Esq.	-	Cheshire.
Hon. Thomas Erskine,	-	Portsmouth.
Sir H. Fetherstonhaugh, Bart.	-	Do.
Sir H. Fletcher, Bart.	-	Cumberland.
Sir H. R. Fitzpatrick,	-	Tavistock.
Hon. Ed. Foley,	-	Worcestershire.
Ralph Milbanke, Esq.	-	Durham County.
R. S. Milnes, Esq.	-	York.
R. H. Charles James Fox,	-	Westminster.
Philip Francis, Esq.	-	Blechingly.
John Harcourt, Esq.	-	Ilchester.
James Hare, Esq.	-	Knaresbrough.
Filmer Honeywood, Esq.	-	Kent.
Henry Howard, Esq.	-	Arundel.
David Howell, Esq.	-	St. Michael's.
William Hussey, Esq.	-	New Sarum.
Joseph Jekyll, Esq.	-	Calne.
Sir William Lemon, Bart.	-	Cornwall.
Colonel Macleod,	-	Invernesshire.
Hon. Major Maitland,	-	Jedburgh, &c.
Sir William Milner, Bart.	-	York.
Dudley North, Esq.	-	Great Grimsby.
William Plumer, Esq.	-	Hertfordshire.
W. Powlett, Esq.	-	Totness.
Sir M. W. Ridley, Bart.	-	Newcastle.
Lord William Russell,	-	Surry.

Hon. St. Andrew St. John,	-	Bedfordshire.
W. Cunliffe Shaw, Esq.	-	Preston.
R. B. Sheridan, Esq.	-	Stafford.
William Smith, Esq.	-	Camelford.
Henry Speed, Esq.	-	Huntingdon.
Lord Robert Spencer,	-	Wareham.
Charles Sturt, Esq.	-	Bridport.
Colonel Tarleton,	-	Liverpool.
M. A. Taylor, Esq.	-	Poole.
Thomas Thompson, Esq.	-	Evesham.
Lord John Townshend	-	Knareborough.
Sir Frederick Vane, Bart.	-	Winchelsea.
B. Vaughan, Esq.	-	Calne.
Robert Vyner, Esq.	-	Thirsk.
J. Walwyn, Esq.	-	Hereford.
C. C. Western, Esq.	-	Malden.
John Wharton, Esq.	-	Beverley.
Samuel Whitbread, junr. Esq.	-	Bedford.
Thomas Whitmore, Esq.	-	Bridgenorth.
Roger Wilbraham, Esq.	-	Isodmyn.
Sir Edward Winnington, Bart.	-	Droitwich.
Earl Wycombe,	-	Chipping Wycombe.

In all 59.

T E L L E R S.

William Adam, Esq.	-	Ross-shire.
Charles Grey, Esq.	-	Northumberland.
Total 61.		

[In order to make our Work complete, and furnish the Reader with the subjects that called for and occasioned the Debates, which are in this publication reported, it is our intention regularly to insert Copies of all STATE PAPERS, TREATIES, and CONVENTIONS laid upon the Table of the Houses of Parliament, and also Copies of such PROTESTS as shall from time to time be entered on the Journals of the House of Lords.]

Authentic Copies of the several Treaties and Conventions, laid upon the Table in the House of Lords by Lord GRENVILLE, and in the House of Commons by Mr. Secretary DUNDAS.

Convention between His Britannick Majesty and the Empress of Russia. Signed at London, the 25th of March 1793.

THEIR Majesties, the King of Great Britain and the Empress of all the Russias, equally convinced of the importance and advantage to the two monarchies of the extension of the commerce which has hitherto subsisted between their respective subjects, have acknowledged the necessity of immediately providing for this object by preliminary stipulations, till a definitive arrangement for a treaty of commerce can be agreed upon between the two crowns. For this purpose, they have chosen and authorised, viz. His Britannick Majesty, the Most Illustrious and Most Excellent Lord William Wyndham, Baron Grenville of Wotton, one of his Majesty's Privy Council, and his Principal Secretary of State for Foreign Affairs; and Her Majesty the Empress of all the Russias, the Most Illustrious and Most Excellent Lord, Count Simon Woronzow, Lieutenant-General of the Armies of her said Imperial Majesty, her Envoy Extraordinary and Minister Plenipotentiary to His Britannick Majesty, and Knight of the Orders of St. Alexander Newsky, of the Military Order of St. George of the Third Class, and of St. Vlademir, Great Cross of the First Class: Who, after communicating to each other their full powers, finding them to be in good and due form, have agreed upon the following Articles:

ARTICLE I. The treaty of friendship, commerce, and navigation, concluded at St. Petersburg in the year 1766, between the two monarchies, shall resume its force and activity, which shall continue, in all the clauses and stipulations, during the space of time hereafter fixed; and the two high contracting parties engage to employ themselves, in the interval, in the arrangement of a new treaty of commerce, for the purpose of securing, in a permanent manner, whatever may tend to consolidate and to extend the commerce and the navigation of the British and Russian subjects. In consequence whereof, His Britannick Majesty, and Her Majesty the Empress of all the Russias, engage and promise reciprocally to execute, observe, and accomplish, in all points, the above-mentioned clauses and stipulations of the treaty of commerce of the year 1766, as if they were inserted here word for word, and in the same manner in which they were executed, observed, and accomplished before the year 1787, being the date of the expiration of the said Treaty; with exception only of those alterations which are agreed upon by the present act, and which will be mentioned in the following Articles.

ART. II. The college of commerce being no longer a court of justice, law-suits, and other affairs of English merchants established in Russia, shall be judged and regulated by the tribunals established for this purpose, in the same manner as is practised with regard to other nations who have treaties of commerce. In return

for which, the Russian subjects established in England shall be under the same jurisdiction of the same tribunals before which the affairs of other nations are brought, who have treaties of commerce with England.

ART. III. Her Imperial Majesty of all the Russias, in continuation of the encouragement which she has uniformly granted, in her states, to the commerce and navigation of British subjects, engages that they shall enjoy, in her ports in the Black Sea, and the Sea of Azoph, all the advantages and diminutions of Custom-house duties, which are specified in the VIth Article of the edict preceding the general tariff of the year 1782, and which is of the following tenor:

“Although this general tariff is to serve also for all our ports situated on the Black Sea, and the Sea of Azoph, we however diminish in the said ports, by one fourth part, the duties fixed in this tariff, in order to encourage commerce for the utility of our subjects, and of the nations with which we shall stipulate reciprocal advantages in this respect, in compensation for the privileges which those nations shall grant to our commerce; excepting, however, from this diminution, the merchandize specified by name in the present tariff, as liable to pay the same duties in the ports of the Black Sea, as in the other Custom-houses of our empire, as also those for which the present tariff fixes particular duties in the ports of the Black Sea.”

ART. IV. The present arrangement of commerce, on which Their Majesties the King of Great Britain and the Empress of all the Russias are agreed, and by which they confirm the whole of the treaty of 1766, the alterations above agreed upon excepted, shall subsist and be obligatory during the space of six years, this term being fully sufficient for coming to a definitive agreement on all the stipulations of a new treaty of commerce, calculated to perpetuate and to extend the advantages of their respective subjects. The high contracting parties engage, in consequence of this act, to provide, in the most effectual manner, and according to the forms established in each of the two countries, for the entire execution of all that is stipulated, without the least restriction.

ART. V. His Britannick Majesty, and Her Imperial Majesty of all the Russias, engage to ratify the present act; and the ratifications thereof shall be exchanged within the space of three months, or sooner if it can be done, reckoning from the day of signature.

In witness whereof, we the under-signed Plenipotentiaries of their Majesties the King of Great Britain and the Empress of all the Russias, have signed the present convention, and have caused it to be sealed with our arms.

Done at London, the twenty-fifth day of March, one thousand seven hundred and ninety-three.

S. Comte de WORONZOW. (L.S.)

Convention between His Britannick Majesty and the Empress of Russia. Signed at London, the 25th of March 1793.

THE persons who have exercised the powers of government in France, after having plunged their own country into the most dreadful miseries, having adopted towards the other powers of Europe measures equally unjust and offensive, conducting themselves in that respect by principles incompatible with the security and tranquillity of all independent states, and even with the existence of all social order; and having actually rendered themselves guilty of the most unjust and injurious aggression, by laying an embargo on all the British and Russian ships which were in the ports of France; an aggression followed by a declaration of war against his Britannick Majesty, and His Ally the republic of the United Provinces; their Majesties the King of Great Britain, and the Empress of all the Russias, have thought proper to concert together upon the means of opposing a sufficient barrier to the dangers which threaten all Europe, in consequence of such principles, views, and conduct.

Their Majesties have therefore authorised their respective ministers, to wit, the King of Great Britain, the most illustrious and most excellent Lord William Wyndham, Baron Grenville of Wotton, one of His Majesty's privy council, and his principal Secretary of State for the Department of Foreign Affairs; and her Majesty the Empress of all the Russias, the Most Illustrious and Most Excellent Lord, Count Simon de Woronzow, Lieutenant-General of Her Imperial Majesty's Armies, her Envoy Extraordinary and Minister Plenipotentiary to the King of Great Britain, and Knight of the Orders of St. Alexander Newsky, of the Military Order of St. George of the Third Class, and of St. Vladimir, Grand Cross of the First Class: Who, after having communicated to each other their respective full powers, have agreed to the following articles;

ARTICLE I. Their Majesties, in conformity to the ancient ties of friendship by which they and their august predecessors have been united, and which they are desirous of cultivating and extending as much as possible, will exert all their endeavours, and will concert together ultimately for assisting and succouring each other mutually, in the course of the present war, in order to procure for themselves, at the peace, that satisfaction and security which they have a right to expect, and to guaranty for the future the public tranquillity and security of Europe.

ART. II. For this end, their Majesties engage to employ their respective forces, as far as the circumstances in which they may find themselves shall permit, in carrying on the just and necessary war in which they are engaged against France: and they reciprocally promise not to lay down their arms but by common consent, without having obtained restitution of all the conquests which France may have made, upon either of their said Majesties, or upon such other of the powers, friends or allies of their said Majesties, to whom they shall judge proper to extend this guaranty, by common consent.

ART. III. Their said Majesties reciprocally engage to shut all their ports against French ships; not to permit the exportation, in any

case, from their said ports for France, of any military or naval stores, or corn, grain, salt meat, or other provisions; and to take all other measures in their power for injuring the commerce of France, and for bringing her, by such means, to just conditions of peace.

ART. IV. Their Majesties engage to unite all their efforts to prevent other powers, not implicated in this war, from giving, on this occasion of common concern to every civilized state, any protection whatever, directly or indirectly, in consequence of their neutrality; to the commerce or property of the French, on the sea, or in the ports of France.

ART. V. Their Majesties, desiring mutually and ardently to confirm and consolidate, as much as possible, the friendship and union now subsisting between them, and to protect and extend the commerce between their respective subjects, will authorise their ministers to proceed, without delay, to the formation of a definitive arrangement for a treaty of alliance and commerce. In the mean time, and until that happy work can be effected, they have agreed to renew, provisionally, the treaty of 1766, by a preliminary agreement of the same date with this convention, and exchanged in like manner between the above-mentioned ministers.

ART. VI. His Britannick Majesty and Her Imperial Majesty of all the Russias, engage to ratify the present convention; and the ratifications thereof shall be exchanged in the space of three months, or sooner, if it can be done, to be computed from the day of the signature.

In witness whereof, we the undersigned Plenipotentiaries of their Majesties the King of Great Britain and the Empress of all the Russias, have signed the present convention, and have caused the seals of our arms to be affixed thereto.

Done at London, this twenty-fifth of March, in the year one thousand seven hundred and ninety-three.

S. Comte WORONZOW. (L.S.)

Treaty between His Britannick Majesty and the Landgrave of Hesse Cassel. Signed at Cassel, the 10th of April 1793.

BE it known to those whom it may concern, that His Majesty the King of Great Britain, and His Serene Highness the Landgrave of Hesse Cassel, in consideration of the strict ties which unite the interest of their respective houses, and having judged that, in the present situation of affairs, it would contribute to the reciprocal welfare of Great Britain and of Hesse, to cement and strengthen, by a new treaty of alliance, the connection which subsists between them; His Britannick Majesty, in order to regulate the objects relative to this alliance, has thought proper to send to Cassel the Right Honourable Thomas Earl of Elgin, and of Kinkardine, Baron Bruce of Kinross, His Minister Plenipotentiary; and His Serene Highness has nominated, on his part, for the same purpose, the Baron Maurice Frederick, of Munchausen, his actual Minister of State, Privy Counsellor, and Knight of the Order of the Golden Lion, and his Director of the College and Treasury of War, and John Francis Kunckel, Privy Counsellor of War: Who, being furnished with the necessary full

WOODFALL'S PARLIAMENTARY REPORTS.]

powers,

powers, have agreed to take for basis of the present Treaty, the Treaties which were formerly concluded between Great Britain and Hesse, to adopt such parts of them as may be applicable to the present circumstances, or to settle by new articles those points, which it may be necessary to regulate otherwise. Every thing, which shall not otherwise be settled, shall be deemed subsisting in full force, in the manner expressed in the above-mentioned Treaties; and, as it is not possible to specify each particular case, every thing which shall not appear to be determined in a precise manner, either in the present Treaty, or in the former Treaties, shall be settled with equity and good faith, in conformity to the same principles, which it is agreed on both sides to adopt, for the regulation of such cases, whether during the course of the war, or after its conclusion.

ART. I. There shall be therefore, in virtue of this Treaty, between His Majesty the King of Great Britain, and His Serene Highness the Landgrave of Hesse Cassel, their successors and heirs, a strict friendship, and a sincere, firm, and constant union, so that the one shall consider the interests of the other as his own, and shall strive to promote them with good faith, as much as possible, and mutually to prevent and remove all disturbance and injury.

ART. II. With this view, it is agreed, that all the former Treaties, especially those of guaranty, shall be deemed to be renewed and confirmed by the present Treaty, in all their points, articles, and clauses, and shall have the same force, as if they were herein inserted word for word, in as much as the same is not derogated from by the present Treaty.

ART. III. His Majesty the King of Great Britain, desiring to secure for his service in Europe a body of the troops of the Serene Landgrave, and His Serene Highness, wishing for nothing more than to give His Majesty real proofs of his strong attachment for him, engages, by virtue of this article, to keep in readiness for this purpose, during the space of three successive years, reckoning from the day of the signature of the present Treaty, a body of eight thousand men, as well infantry as cavalry, or chasseurs, including officers. This corps shall be completely equipped, furnished with tents, and all necessary equipage; in a word, shall be put upon the best possible footing; and nobody shall be admitted into it but men capable of serving, acknowledged as such by the commissary of His Britannick Majesty. This corps shall march in two divisions: The first, consisting of four thousand men, shall be composed of a corps of infantry with the artillery men, and of a regiment of cavalry. Formerly the signature of Treaties preceded for some time the period of the requisition for the march of the troops; but as, in the present circumstances, there is no time to be lost, the day of the signature of the present Treaty is deemed to be also the period of the requisition, and the first division of four thousand men shall be in readiness to pass in review before the commissary of His Britannick Majesty on the eighth of next month, and to begin its march the following day for the place of its destination. The second division, consisting also of four thousand men, and composed of a corps of infantry, of a battalion of chasseurs, and of two regiments of cavalry, shall be in readiness to pass in review the 5th

of June, and shall be ready to march in eight weeks from the day of the conclusion of the present Treaty, or even sooner if it is possible. These troops shall not be separated, unless the cause of war should require it, but shall continue under the orders of their Hessian chief, under the command, however, of the General to whom His Britannick Majesty shall entrust that of his whole army: And the second division shall only be conducted to those places where the first shall be, unless it should be contrary to the plan of operations.

ART. IV. Each battalion of infantry of this corps of troops shall be provided with two field-pieces, and the officers, cannoneers, and other men and equipage attached to them.

ART. V. In order to defray the expences to which the Serene Landgrave shall be put, by equipping the above-mentioned corps of eight thousand men, His Majesty the King of Great Britain promises to pay to His Serene Highness, for each horseman or dragoon, properly armed and mounted, 80 crowns Banco, and for each foot soldier 30 crowns Banco. This levy-money for the first division shall be paid fifteen days after the signature of the present Treaty. With regard to the levy-money for the second division, one half thereof shall be paid on the eighth of next month, and the other half on the day on which the second division shall begin its march. The levy-money shall be paid for the same description of persons for whom it was given in the former alliances.

ART. VI. Besides what is stipulated in the preceding article, His Majesty the King of Great Britain engages to cause to be paid annually, during the three years that this Treaty shall last, a subsidy and an half, fixing the sum according to the custom established for the subsidies in the former Treaties. This subsidy shall commence from the day of the signature of this Treaty, and it shall be paid at the rate of two hundred and twenty-five thousand crowns Banco per annum, the crown being reckoned at fifty-three sols of Holland, or at four shillings and nine-pence three farthings English money.

When the said troops shall be sent back by his Britannick Majesty, from the day of their return into the territories of his Serene Highness, till the expiration of the treaty, the subsidy shall be continued upon the same footing of 225,000 crowns Banco per annum. The payment of this subsidy shall be regularly paid without any deduction, and quarterly, in the town of Cassel, into the military treasury of the Serene Landgrave, authorised to receive it; and in case that on either side it should be judged expedient that the number of the corps of troops should exceed eight thousand, the subsidy shall be proportionably augmented, unless it shall be otherwise agreed upon. His Majesty shall continue equally to this corps the pay and other emoluments during the remainder of the month in which it shall repass the frontiers of Hesse, and arrive in the territories of his Serene Highness, that is to say Hesse, properly so called.

ART. VII. With regard to what relates to the pay and allowance, both ordinary and extraordinary, of the said troops, during the time that they shall be actually in the pay of Great Britain; it is

WOODFALL'S PARLIAMENTARY REPORTS.]

agreed

agreed, that, as long as they shall serve in the empire, they shall enjoy the same advantages and emoluments which his Majesty grants to his German troops, according to the effective establishment of the said corps of troops at the time of their being delivered, which shall be verified by a list signed by the respective ministers of the high contracting parties, which shall have the same force as if it were inserted word for word in the present treaty. During the time that they shall be employed in the Low Countries, they shall be treated in the above mentioned respect, upon the footing of Dutch troops; it being understood that in both cases, that is to say, in that of the German pay, as well as that of the Dutch, the allowances shall not be inferior to what was granted in former wars; and if the nature of the war should require that those troops should serve in different countries upon the continent of Europe from those above mentioned; they shall, in that case, be put, in every respect, on the same footing with the most favoured of His Majesty's auxiliary troops.

If it shall happen that they should be employed in Great Britain, or in Ireland, as soon as the notification, in such case, shall be made to the Serene Landgrave, they shall be put on the same footing, in every respect, as the national British troops.

All these allowances for those troops shall be paid into the military treasury of His Serene Highness, without any abatement or diminution, in order to be distributed.

ART. VIII. If it should unfortunately happen that some regiments or companies of the corps above mentioned, should, by any accidents, be wholly or partially ruined or destroyed, or that the pieces of artillery or other effects, with which it may be provided, should be taken by the enemy, His Majesty the King of Great Britain will pay the expences of the necessary recruits and remounting, as also the value of the said field artillery and effects; in order speedily to restore the artillery, regiments or companies to their former state: And those recruits shall likewise be put upon the same footing as those which were furnished to the Hessian officers, in virtue of the fifth article of the treaty of 1702, in order that the corps may be always preserved and sent back hereafter in as good a state as that in which it was delivered; and the recruits annually necessary shall be delivered to the English commissary, disciplined and completely equipped, at the place of their destination, at the time which his Britannick Majesty shall appoint.

ART. IX. It will depend upon his Britannick Majesty to retain this corps of troops in his service all the time of the duration of this Treaty, to make use of them in any part of Europe where he may have occasion for them, provided it be not on board the fleet, from the time of its quitting the territories of the Serene Landgrave; and when His Majesty the King of Great Britain shall think proper to send back the said troops, he shall give three months previous notice to His Serene Highness, and shall make him an allowance of a month's pay for their return, furnishing them also with the necessary means of transport gratis.

ART. X. His Britannick Majesty promises to attend, as much as possible, to the safety of the dominions and possessions of His Serene Highness, and to direct the military operations, as much as circumstances may permit, in such a manner that the country of His Serene Highness may be covered and spared as much as possible. If, however, notwithstanding the precautions which shall be taken with that view, the country of his Serene Highness should be invaded by the enemy, on account of his alliance, and the present Treaty, His Britannick Majesty shall endeavour to procure to the country of His Highness the Landgrave, an indemnification proportionable to the loss occasioned thereby, according to what has been formerly done on similar occasions.

ART. XI. The sick of the Hessian corps shall remain under the care of their own physicians, surgeons, and other persons appointed for that purpose, under the command of the General commanding corps of those troops, and every thing shall be granted to them which is granted to His Majesty's own troops.

ART. XII. All Hessian deserters shall be faithfully restored, as often as they shall be discovered in places dependent upon His Britannick Majesty.

ART. XIII. In consideration that the article of recruiting becomes daily more expensive in Germany, on account of the numerous armies which are there kept on foot, and that the vacant pay is regarded as the principal fund to defray that expence, it is agreed, that, at the review to be made in the spring, at the beginning of the campaign, by the commissary of His Britannick Majesty, the corps ought to be complete, or the pay of those wanting to complete shall be retained; on the other hand, the pay of those who may be wanting from one spring review to the next shall not be retained, but shall be allowed without abatement, as if they were complete; and, instead of what was formerly paid for recruiting, in the room of one killed or three wounded, it is agreed, that, without distinction, each man furnished shall be supplied at the rate of twelve crowns Banco a head, under the express condition, however, that what is here agreed on shall only regard the recruiting, which is the object in this article.

ART. XIV. All the expences of transport for the troops, as well for the men as for their effects, shall be defrayed by his Britannick Majesty.

ART. XV. The situation of affairs having entirely changed its aspect since the commencement of this negotiation, it is stipulated, that if His Britannick Majesty should find that he has not, in the present moment, occasion for the above-mentioned corps of troops, and that his Majesty should countermand their march before the term fixed for the review of the first division: in that case His Majesty shall be bound to pay to His Serene Highness the levy money for the whole corps of 8,000 men, and a double subsidy, for one year only; that is to say, 300,000 crowns Banco, which shall be instead of the different stipulations contained in the above fourteen articles.

articles. The payment of the levy money shall, in such case, be made on the 8th of the next month, and that of the subsidy in quarterly payments, in one year, reckoning from the date of the signature of the present Treaty. But it is expressly agreed, that, in the mean time, this article shall in no degree suspend either the preparations or the payment, which it has been agreed on each side to make.

ART. XVI. This Treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible. In witness whereof we, the undersigned, authorised by the full power of His Majesty the King of Great Britain, on one side, and of his Serene Highness the reigning Landgrave of Hesse Cassel, on the other, have signed the present Treaty, and have thereto put the seals of our arms. Done at Cassel, the 10th of April, 1793.

ELGIN (L. S.)

Convention between his Britannick Majesty and the Landgrave of Hesse Cassel. Signed at Maykammer, the 23d Day of August, 1793.

HIS Majesty the King of Great Britain, and his Serene Highness the Landgrave of Hesse Cassel, having judged it mutually advantageous to strengthen and consolidate the ancient bonds of friendship, which so happily unite the two sovereigns, by a treaty of subsidy, concluded at Cassel the 10th day of the month of April, 1793; and His Britannick Majesty having thought fit, in the present situation of affairs, further to augment the corps of troops employed against the common enemy, has charged, on his part, the Earl of Yarmouth, one of His Majesty's Most Honourable Privy Council, to negotiate and conclude, with Baron Frederick Segismund Waitz de Eschen, President of the College of Trade, and Privy Councillor, and with the Director of the Treasury of War, John Francis Kunckell, Privy Councillor of War, in the name and on the part of his Serene Highness the Landgrave of Hesse Cassel, an additional article to the treaty of subsidy, concluded the 10th of the month of April, 1793: which Ministers Plenipotentiary, after having communicated to each other their respective full powers, have agreed as follows.

ADDITIONAL ARTICLE. His Serene Highness the Landgrave of Hesse Cassel, in order to give to his His Britannick Majesty a new proof of his eagerness to comply with his desires, engages to furnish, in the space of three weeks, at the disposal of Great Britain, a new corps of his troops of four thousand men, viz. one regiment of dragoons, one regiment of grenadiers, and two regiments of infantry: which corps of troops, whether for the duration of the engagement, or the subsidy, or pay, is ceded to His Britannick Majesty by His Serene Highness absolutely upon the same conditions which have been stipulated for the corps of eight thousand Hessians, which

are already in the service and pay of Great Britain, in virtue of the treaty of subsidy of the 10th of April, 1793. This article being only to be considered as an extension of the stipulations of the treaty of subsidy above mentioned, is to be regarded as if it made a part of it, and as if it was thererein inserted word for word.

The ratifications of this additional article to the treaty of subsidy, given by the two contracting sovereigns in good and due form, shall be exchanged at Manheim, by their respective ministers, in the space of three weeks, computing from the day of the signature, or sooner, if it can be done.

In witness whereof we Plenipotentiaries, furnished with full powers from His Britannick Majesty, and from His Serene Highness the Landgrave of Hesse Cassel, have signed the present additional article, and have thereunto set the seals of our arms.

Done at Maykammer, near Edinghofen, the head quarters of His Majesty the King of Prussia, the 23d of the month of August, in the year one thousand seven hundred and ninety-three.

YARMOUTH.

(L. S.)

FREDERIC SIGISMOND B. WAITZ D'ESCHEN. (L. S.)

JEAN FRANCOIS KUNCKELL.

(L. S.)

Treaty between His Britannick Majesty and the King of Sardinia,
Signed at London, the 25th of April, 1793.

THEIR Majesties the King of Great Britain and the King of Sardinia, finding themselves engaged in a war against France, in consequence of the most injurious acts of violence and aggression which they have respectively experienced from that country, their above mentioned Majesties have agreed to make a common cause in this war, and to concert to together on the means of providing for their mutual defence and safety, as well as for the general interests of Europe.

Their above mentioned Majesties, in consequence, have named and constituted for this purpose, to wit, his Britannick Majesty, the Most Illustrious and Most Excellent Lord William Wyndham, Baron Grenville of Wotton, Privy Counsellor of His before named Majesty, and His Principal Secretary of State for the Foreign Department; and His Sardinian Majesty, the Most Illustrious and Most Excellent Lord Philip de St. Martin, Count de Front, Gentleman of the Chamber to his said Majesty, Colonel of Cavalry and Dragoons, and His Envoy Extraordinary to His Britannick Majesty; who, after having duly communicated their respective full powers, have agreed upon the following articles;

ARTICLE I. His Sardinian Majesty engages to keep on foot, during the whole course of the present war, an army of fifty thousand men, to be employed for the defence of his dominions, as well as to act against the common enemy: His Britannick Majesty engaging,

on

on his side, to send into the Mediterranean a respectable fleet of ships of war, to be employed, accordingly as circumstances shall permit, against the naval forces which the enemy may have in that part of the world. Their before named Majesties will ultimately concert as to the destination and employment of their respective forces above mentioned.

ART. II. His Britannick Majesty engages to furnish to His Sardinian Majesty, during the whole course of the war, a subsidy of two hundred thousand pounds sterling per annum, to be reckoned from the day of the signature of the present Treaty ; which subsidy shall be paid to him punctually every three months in advance, to be reckoned from the above day.

ART. III. His Britannick Majesty engages not to conclude a peace with the enemy, without comprehending in it the entire restitution, to His Sardinian Majesty, of all the parts of his dominions which belonged to him at the commencement of the war, and of which the aforesaid enemy has obtained possession, or of which it may hereafter obtain possession during the course of hostilities. In return, His Sardinian Majesty will continue firmly and inseparably united and attached to the common cause, and to the interests of His Britannick Majesty in this war, not only for so long time as the war may last in Italy, or in the southern parts of Europe, but until the conclusion of peace between Great Britain and France.

ART. IV. If one or other of the two high contracting parties shall happen to be attacked, molested or disturbed in any of his estates, rights, possessions or interests, at any time, or in whatever manner it may be, by sea or by land, in consequence or in resentment of the articles or stipulations contained in the present treaty, or of the measures to be taken by the said contracting parties, by virtue of this treaty, the other contracting party engages to succour him, and to make common cause with him, in the manner which is stipulated by the above articles.

ART. V. The present treaty shall be ratified by both parties, and the exchange of the ratifications shall take place in the space of two months, or sooner if possible.

In faith of which we the under-signed, Ministers Plenipotentiary of their Majesties the King of Great Britain and the King of Sardinia, have signed this present treaty, and have caused to be affixed thereto the seal of our arms.

Done at London, this twenty-fifth day of April, one thousand seven hundred and ninety-three.

GRENVILLE. (L. S.)

ST. MARTIN DE FROST, (L. S.)

Treaty between His Britannic Majesty and the King of Spain,
Signed at Aranjuez, the 25th of May, 1793.

THEIR Britannick and Catholic Majesties having resolved, on consideration of the present circumstances of Europe, to substantiate their mutual confidence, friendship, and good correspondence, by means of a provisional convention, in the interim of their entirely completing the solid system of alliance and commerce, which they are so desirous of establishing between themselves and their respective subjects, have named and authorized for that purpose, viz. on the part of His Britannick Majesty, the Most Illustrious and Most Excellent Lord Alleyne, Baron St. Helens, Member of His said Majesty's Privy Council, and his Ambassador Extraordinary and Plenipotentiary to His Catholic Majesty; and on the part of His Catholic Majesty, the Most Illustrious and Most Excellent Lord Don Manuel de Godoy and Alvarez, de Faria, Rios, Sanchez, Zarrosa, Duke de la Alcudia, Grandee of Spain of the first class, Perpetual Regidor of the City of Santiago, Knight of the Illustrious Order of the Golden Fleece, and of the Royal and Distinguished Spanish Order of Charles III. Commander of Valencia del Ventoso, in that of Santiago, Counsellor of State, First Secretary of State and Despacho, Secretary to the Queen, Superintendant General of the Ports and High Ways, Gentleman of the King's Chamber in Employment, Captain General of His Armies, Inspector and Major of the Royal Corps of Body Guards: Who, after having communicated to each other their full powers in due form, have agreed upon the following articles.

ARTICLE I. The Two Most Serene Kings will employ their utmost attention, and all the means which are in their power, to re-establish the public tranquillity, and to maintain their common interests; and they promise and engage to act in perfect concert, and in the most intimate confidence, for the accomplishment of those salutary ends.

ART. II. Their said Majesties, having perceived just grounds of jealousy and of uneasiness for the safety of their respective dominions, and for the maintenance of the general system of Europe, in the measures which have been for some time past adopted in France, they had already agreed to establish between them an intimate and entire concert upon the means of opposing a sufficient barrier to those dangerous views of aggression and aggrandizement; and France having declared an unjust and aggressive war, as well against His Britannick Majesty as against his Catholic Majesty, Their said Majesties engage to make common cause in the said war. The said high contracting parties will mutually concert together

together every thing that may be relative to the succours to be afforded by the one to the other, as also to the employment of their forces, for their respective safety and defence, and for the good of the common cause,

ART. III. In consequence of what is stipulated in the preceding article, and in order that the British and Spanish vessels may be mutually protected and succoured during the present war, as well in their navigation as in the ports of the two high contracting parties, Their Britannick and Catholic Majesties have agreed, and agree, that their squadrons and ships of war shall convoy, without distinction, the trading vessels of the two nations in the same manner that each convoys its own, as far as circumstances may permit; and that both their ships of war and trading vessels shall be admitted into their respective ports and protected, and shall be furnished with the succours of which they may stand in need, at the current prices.

ART. IV. Their said Majesties engage reciprocally to shut their ports against French vessels; not to permit that there shall in any case be exported from their ports for France either warlike or naval stores, or wheat or other grains, salted meat or other provisions; and to take every other measure in their power to distress the trade of France, and reduce her by that means to just conditions of peace.

ART. V. Their said Majesties also engage, the present war being generally interesting to every civilized state, to unite all their efforts in order to prevent those powers, which do not take part in the said war, from affording, in consequence of their neutrality, any protection, direct or indirect, on the seas or in the ports of France, to the commerce and property of the French.

ART. VI. Their Britannick and Catholic Majesties promise reciprocally not to lay down their arms (unless it should be by common agreement) without having obtained the restitution of all the dominions, territories, cities or places, which may have belonged to either of them before the commencement of the war, and of which the enemy may have taken possession during the course of Hostilities.

ART. VII. If either of the two high contracting parties should be attacked, molested or disturbed in any of his dominions, rights, possessions, or interests, at whatever time or in whatever manner it might be, by sea or by land, in consequence and in hatred of the articles or stipulations contained in the present treaty, or of the measures to be taken by the said high contracting parties in virtue of this treaty, the other contracting party engages to succour and to make common cause with him, in the manner stipulated in the foregoing articles.

ART. VIII. The present treaty shall be ratified by both parties, and the exchange of the ratifications shall be made in the space of six weeks, or sooner if it can be done.

In.

In witness whereof we, the Plenipotentiaries of Their Britannick and Catholic Majesties, have signed in their name and in virtue of our respective full powers, the present treaty, and have sealed it with the seals of our arms.

Done at Aranjuez, the twenty-fifth of May, one thousand seven hundred and ninety-three.

ST. HELENS. (L. S.)

EL DUQUE DE LA ALCUDIA. (L. S.)

Convention between His Britannick Majesty and His Sicilian Majesty. Signed at Naples, the 12th of July 1793.

THEIR Britannick and Sicilian Majesties being convinced of the danger, which threatens Europe, in consequence of the conduct of those who now exercise the powers of government in France, of the views which they have manifested, and of the principles which they strive to propagate in all parts; and the said persons have actually declared against His Britannick Majesty, as well as against several other powers, an unjust and unprovoked war; Their said Majesties have judged proper to concert together upon the means of opposing a barrier to the dangers above mentioned, and to provide for the future security and tranquility of their dominions, as well as for the general interests of Europe.

Their Majesties having therefore authorized their respective Plenipotentiaries, to wit, His Britannick Majesty, the most Illustrious and Most Excellent Lord, William Hamilton, One of His Majesty's Privy Council, Knight of His Order of the Bath, and His Envoy Extraordinary and Minister Plenipotentiary to His said Sicilian Majesty; And His said Sicilian Majesty, the Most Illustrious and Most Excellent Lord, John Aston, His Councillor and Secretary of State for the Departments of Foreign Affairs, of War, of the Marine, and of Commerce, Lieutenant General of His Armies, Knight of His Order of St. Januarius, and Commander of the Order of St. Stephen; the Most Illustrious and Most Excellent Lord, Marquis Charles Demarco, His Councillor and Secretary of State for the Department of the Royal Household, and Knight of His Order of St. Januarius; the Most Illustrious and Most Excellent Lord, Thomas de Somme, of the Princes del Colle, Marquis of Circello, His Gentleman of the Chamber, Brigadier of His Armies, and Knight of his Order of St. Januarius; Who, after having communicated to each other their respective full powers, have agreed to the following articles.

ARTICLE. I. Their Britannick and Sicilian Majesties, from the motives above explained, will make common cause in the present war against France, and will concert together upon the
military

military and naval operations, especially in the Mediterranean Sea.

ART. II. The high contracting parties reciprocally guaranty to each other their dominions against the common enemy, and engage not to lay down their arms, unless by common consent, without having obtained the entire and full restitution of all places, towns, and territories, which respectively belonged to them before the commencement of the present war, and which the enemy may have taken during the course of the war.

ART. III. His Sicilian Majesty promises to unite to the forces of His Britannick Majesty, in order that he may employ them in the Mediterranean, either conjointly or in concert with his own military and naval forces, a body of six thousand land troops, as well as four ships of the line, four frigates, and four small ships of war. His Majesty the King of the Two Sicilies offers to contribute the contingent above specified from the present time, and to augment it hereafter, if circumstances will permit him.

His Britannick Majesty will defray the expence of the vessels for transporting the said body of troops to the places where it shall be required to serve; and as soon as the said corps shall have quitted the dominions of His Sicilian Majesty for that purpose, His Britannick Majesty shall be obliged to provide it with the subsistence and forage which may be necessary.

ART. IV. His Britannick Majesty shall keep a respectable fleet of ships of the line in the Mediterranean, as long as the danger of the Two Sicilies, and the operations which they shall undertake against the common enemy, shall require; and His said Majesty engages to take such arrangements as shall be most proper for maintaining either by his own forces, or in concert with the other maritime powers engaged in this war, a decided superiority in that sea, and to provide, by this means, for the security of His Sicilian Majesty's dominions.

ART. V. His Sicilian Majesty will prohibit his subjects from all commerce with France, of what nature soever; and will not even permit the ships of other nations to export from the ports of the Two Sicilies to the ports of France, any sort of provisions or military or naval stores.

ART. VI. His Sicilian Majesty promises to open the ports of the Two Sicilies, without reserve or restriction, to the English squadrons, and to furnish them with all the succour and provisions which they may be in want of, at the current prices, and in the manner practised in similar cases. His said Sicilian Majesty will shut his ports against all French vessels, whether merchantmen or ships of war.

ART. VII. The ships of war of his Britannick Majesty, which shall be employed in the Mediterranean to serve as convoy to the merchantmen belonging to the subjects of His said Majesty, shall also take under their convoy the vessels of his Sicilian Majesty, which may have the same destination. A similar conduct shall be
Q observed

observed on the part of his Sicilian Majesty; and to this end the necessary and proper orders shall be respectively given to those whom it may concern.

ART. VIII. If, in the course of the events which may occur, His Sicilian Majesty shall judge that he cannot any longer, with justice and dignity, continue the war, he declares, not only that he will not make peace without stipulating, that the above-mentioned conditions, in the second article of this treaty, shall be at the same time offered, on the part of the enemy, to His Britannick Majesty, but also, that if His Britannick Majesty should, notwithstanding, determine to continue the war, His Sicilian Majesty shall observe a strict and exact neutrality during all its further duration.

ART. IX. His Britannick Majesty, at the future peace, and at the congresses which may be held for that purpose, will give all requisite attention to the welfare and security of Italy, and especially to the dignity and interests of the Crown of the Two Sicilies, and to the procuring for his Sicilian Majesty, at the peace, all due satisfaction and security.

ART. X. The present convention shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged in due form, in the space of three months, or sooner, if it can be done, to be computed from the day of the signature.

In witness whereof we the undersigned, furnished with the full powers of our respective sovereigns, have signed the present convention, and have caused the seals of our arms to be affixed thereto.

Done at Naples, the twelfth day of the month of July, in the year 1793.

JEAN ACTON. (L. S.)
(L. S.) W. HAMILTON. MARQUIS CH. DEMARCO. (L. S.)
LE MARQUIS DE CIRCELLO. (L. S.)

Convention between His Britannick Majesty and the King of Prussia. Signed at the Camp before Mayence, the 14th of July 1793.

THEIR Majesties the King of Great Britain and the King of Prussia, in consequence of the ties of friendship and of alliance by which they are now so happily united, and animated by the desire of establishing with each other a more direct and a more confidential communication upon every thing which relates to the unjust and cruel war, which the persons who exercise the powers of government in France have commenced against several great powers in Europe, adopting towards others measures equally unjust and offensive, and conducting themselves towards them by principles incompatible with the security and the tranquillity of all independent

pendent states, and even with the existence of all social order; Their said Majesties have thought proper to concert together upon the means of opposing a sufficient barrier to the dangers which threaten all Europe, in consequence of such principles, views, and conduct. Their Majesties have therefore authorised their respective Ministers Plenipotentiary, to wit, His Majesty the King of Great Britain, the Earl of Beauchamp, One of His said Majesty's Privy Council; and His Majesty the King of Prussia, the Marquis Jerome de Lucchesini, his Actual Chamberlain, Knight of the Orders of the Black Eagle, and of the Red Eagle: Who, after having communicated to each other their respective full powers, have agreed to the following articles.

ARTICLE I. Their Britannick and Prussian Majesties will exert all their endeavours to establish and to maintain with each other the most perfect concert, and the most intimate confidence, upon all the objects relative to the present war. The two high contracting parties, seeing in the same point of view the indispensable necessity of continuing their plans and operations for the accomplishment of the just and lawful object of a peace, in which all Europe may find tranquillity and security, will continue to employ their respective forces, as far as their circumstances will permit, in carrying on a war equally just and necessary.

ART. II. Their Majesties the King of Great Britain and the King of Prussia reciprocally promise not to lay down their arms but by common consent, without having obtained restitution of all the conquests which France may have made upon either of the two high contracting parties, or upon such other of the powers, friends or allies of Their said Majesties, to whom they shall judge proper to extend this guaranty, by common consent.

ART. III. The high contracting parties having already taken the resolution to shut all their ports against French ships, and not to permit the exportation, in any case, from their said ports for France, of any military or naval stores, or corn, grain, salt meat, or other provisions, they reciprocally engage to continue those measures, and promise to employ all other means which shall be in their power for injuring the commerce of France, and for bringing her, by such means, to just conditions of peace.

ART. IV. Their Majesties engage to unite all their efforts to prevent, on this occasion of common concern to every civilized state, other powers, not implicated in this war, from giving, in consequence of their neutrality, any protection whatever, directly or indirectly, to the commerce or property of the French, on the sea, or in the ports of France.

ART. V. Their Britannick and Prussian Majesties engage to ratify the present convention; and the ratifications thereof shall be exchanged in the space of six weeks, or sooner, if it can be done, to be computed from the day of the signature of the present convention.

In witness whereof, we the undersigned, Plenipotentiaries of His Majesty the King of Great Britain and of His Majesty the

King of Prussia, have signed the present convention, and have caused the seals of our arms to be affixed threto.

Done at the camp before Mayence, the 14th of July, 1793.

BEAUCHAMP. (L.S.) JEROME Marquis de LUCCHESINI. (L.S.)

Convention between His Majesty the Emperor and His Britannick Majesty. Signed at London, the 30th day of August 1793.

HIS Majesty the Emperor and His Majesty the King of Great Britain, finding themselves equally engaged in a war with France, and desiring to act conjointly and with vigour, in order to provide, by that means, for the common interests of their dominions, as well as for the general tranquillity of Europe, have determined to establish with each other a perfect and confidential concert and co-operation in every thing which may relate to that war. Their Majesties have therefore named for that purpose their respective ministers, to wit, His Majesty the Emperor, the Most Illustrious and Most Excellent Lord, Lewis Count of Starhemberg, Count of the Holy Roman Empire, his actual Chamberlain, and his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Great Britain; and His Majesty the King of Great Britain, the Most Illustrious and Most Excellent Lord William Wyndham, Baron Grenville of Wotton, one of His Majesty's Most Honourable Privy Council, and His Principal Secretary of State for the Department of Foreign Affairs: Who, after having communicated to each other their respective full powers, have agreed upon the following articles:

ARTICLE I. There shall be, upon all points relative to the present war, the most perfect concert, and the most intimate confidence between the two high contracting parties; and they mutually engage to employ their forces, as far as circumstances shall permit, in the most efficacious manner, and to concert together upon all military operations, in order to annoy the enemy, and to contribute to the advantage of the common cause.

ART. II. Their said Majesties reciprocally engage to shut their ports against French vessels; not to permit in any instance, warlike or naval stores, corn, grain, salted meat, or other provisions, to be exported from their said ports for France; and to take all other means in their power to annoy the commerce of France, and thereby to reduce her to just conditions of peace.

ART. III. Their Majesties engage to unite all their efforts to prevent other powers, who shall not take part in this war, from giving, on this occasion of common interest to every civilized state, any protection whatever, direct or indirect, in consequence of their neutrality, to the commerce or to the property of the French, at sea, or in the ports of France.

ART.

ART. IV. Their Imperial and Britannick Majesties reciprocally promise not to lay down their arms (unless by common consent) without having obtained the restitution of all the dominions, territories, towns or places, which may have belonged to either of them before the commencement of the war, and which the enemy may have taken during the course of hostilities, or which may likewise have belonged to such of the powers, friends or allies of their said Majesties, to whom they shall judge proper by common consent to extend this guaranty.

ART. V. If either of the two high contracting parties should be attacked, molested, or disturbed in his dominions, rights, possessions, or interests, at any time or in any manner whatever, by land or by sea, in consequence and in hatred of the articles or stipulations contained in the present convention, or of the measures to be taken by the said high contracting parties, in virtue of this convention, the other contracting party engages to assist him, and to make common cause with him, in the manner stipulated in the preceding articles.

ART. VI. His Majesty the Emperor, and His Majesty the King of Great Britain, engage to ratify the present convention; and the ratification thereof shall be exchanged in the space of six weeks, or sooner, if it can be done, to be computed from the day of the signature.

In witness whereof, we the undersigned, Plenipotentiaries of their respective Majesties, have signed the present convention, and have affixed thereto the seal of our arms.

Done at London, the thirtieth day of August, in the year one thousand seven hundred and ninety-three.

GRENVILLE. (L.S.)

Treaty between His Britannick Majesty and the Margrave of Baden.
Signed at Carlruhe, the 21st Day of September 1793.

BE it known to those whom it may concern, that His Majesty the King of Great Britain, being desirous of taking into his service a corps of the troops of His Serene Highness the Margrave of Baden, to be employed in the present war against France, and His Serene Highness being disposed, as a proof of his attachment to His said Majesty, to furnish a corps of his said troops, His Britannick Majesty has thought proper to nominate, on his part, as his Minister Plenipotentiary, Francis Earl of Yarmouth, one of his said Majesty's Most Honourable Privy Council; and His Serene Highness has nominated, on his side, for the same purpose, the Baron of Gailing, Minister of State, and President of the Chamber of Finance: Who being furnished with the necessary full powers, have agreed to take for basis of the present Treaty, the Treaty concluded at Cassel, the 10th of April last, between His Britannick Majesty and the Landgrave of Hesse Cassel. In consequence, it is agreed, that His Highness

ness the Margrave of Baden shall enjoy, proportionally, for his corps of troops, all the advantages granted to His Highness the Landgrave of Hesse Cassel, as well in the said Treaty as in the secret articles, in case there should be any; that every thing which shall not be determined by the following articles, in a precise manner, shall be regulated, in future, according to the principles of equity and good faith, which have conducted the whole of the present negotiation; and the said Plenipotentiaries have agreed, accordingly, upon the following articles:

ARTICLE I. There shall be, therefore, in virtue of this Treaty, between His Majesty the King of Great Britain, and His Serene Highness the Margrave of Baden, their successors and heirs, a strict friendship, and a sincere, firm, and constant union, so that the one shall consider the interest of the other (as his own, and shall strive to promote them with good faith, as much as possible, and mutually to prevent and remove all disturbance and injury.

ART. II. His Majesty the King of Great Britain, desiring to secure for his service a body of the troops of the Serene Margrave, and His Serene Highness, wishing for nothing more than to give the King real proofs of his strong attachment for His Majesty, and of his desire to co-operate, as much as lies in his power, towards the common object of the present war against France, engages, by virtue of this article, to keep in readiness for this purpose, during the space of three successive years, reckoning from the day of the signature of the present Treaty, a body of seven hundred and fifty-four men, including officers, according to the specification hereunto annexed. This corps shall be completely equipped, furnished with tents, and all necessary equipage, and shall be put upon the best possible footing, and none shall be admitted into it but disciplined men, and capable of serving immediately, acknowledged as such by the Commissary of his Britannick Majesty. As in the present circumstances there is no time to be lost, the above-mentioned Plenipotentiaries have agreed that the day of the signature of the present Treaty shall be deemed to be also the period of the requisition for the march of the troops above mentioned; and that the said troops shall be in readiness to pass in review before the Commissary of His Britannick Majesty on the 10th of the month of October 1793, and shall be ready to begin their march on the following day for the place of their destination. These troops shall not be separated, unless the course of the war shall require it, but shall continue under the orders of their Baden chief, under the command, however, of the General to whom His Britannick Majesty shall entrust that of his whole army.

ART. III. Each battalion of infantry of this corps of troops shall be provided with two field pieces, and the officers, cannoniers, and other men and equipage attached to them.

ART. IV. In order to defray the expence to which the Serene Margrave shall be put, by equipping the above-mentioned corps of seven hundred and fifty-four men, His Majesty the King of Great Britain

Britain promises to pay to His Serene Highness, for each horseman or dragoon, properly armed and mounted, eighty crowns banco; and for each foot soldier, thirty crowns banco. This levy-money shall be paid in fifteen days after the signature of the present Treaty.

ART. V. Besides what is stipulated in the preceding article, His Majesty the King of Great Britain engages to cause to be paid to the Serene Margrave, an annual subsidy during the three years that this Treaty shall last. This subsidy shall commence from the day of the signature of this Treaty, and it shall be paid at the rate of twenty-one thousand two hundred and sixteen crowns banco, per annum, the crown being reckoned at fifty-three sols of Holland, or at four shillings and nine pence three farthings English money.

When the said troops shall be sent back by His Britannick Majesty, from the day of their return into the Margraviate of Baden, till the expiration of the Treaty, the subsidy shall be continued upon the same footing of twenty-one thousand two hundred and sixteen crowns banco, per annum. The payment of this subsidy shall be regularly made without any deduction, and quarterly, in the town of Carlsruhe, into the military treasury of the Serene Margrave authorised to receive it; and in case that, on either side, it should be judged expedient that the number of the corps of troops should exceed seven hundred and fifty-four, the subsidy shall be proportionably augmented, unless it shall be otherwise agreed upon. His Majesty shall continue equally to this corps the pay and other emoluments, during the remainder of the month in which it shall repass the frontiers of the Margraviate of Baden, and arrive in the territories of His Serene Highness.

ART. VI. With regard to what relates to the pay and allowances, both ordinary and extraordinary, of the said troops, during the time that they shall be actually in the pay of Great Britain, it is agreed, that, as long as they shall serve in the Empire, they shall enjoy the same advantages and emoluments which His Majesty grants to his German troops, according to the effective establishment of the said corps of troops at the time of their being delivered, which shall be verified by a list signed by the respective ministers of the high contracting parties, which shall have the same force as if it were inserted word for word in the present Treaty. During the time that they shall be employed in the Low Countries, they shall be treated in the above-mentioned respect, upon the footing of Dutch troops; it being understood that in both cases, that is to say, in that of the German pay, as well as in that of the Dutch, the allowance shall not be inferior to what was granted in former wars to the Hessian troops; and, if the nature of the war should require that those troops should serve in different countries upon the continent of Europe from those above mentioned, they shall, in that case, be put in every respect on the same footing with the most favoured of His Majesty's auxiliary troops.

All these allowances for those troops shall be paid into the military treasury of His Serene Highness, without any abatement or diminution, in order to be distributed.

ART.

ART. VII. If it should unfortunately happen that some companies of the corps above-mentioned, should, by any accidents, be wholly or partially ruined or destroyed, or that the pieces of artillery or other effects, with which it may be provided, shall be taken by the enemy, His Majesty the King of Great Britain will pay the expences of the necessary recruits and remounting, as also the value of the said field-pieces and effects, in order speedily to restore the artillery, regiments, and companies, to their former state; and those recruits shall likewise be put upon the same footing as those of the troops furnished to His Majesty by His Serene Highness the Landgrave of Hesse Cassel, by the Treaty of subsidy, signed at Cassel the 10th of the month of April of the present year; so that the corps of His Serene Highness the Margrave of Baden may be always preserved and sent back hereafter in as good a state as that in which it was delivered; and the recruits annually necessary shall be delivered to the English commissary, disciplined and completely equipped, at the place of their destination, at the time which His Britannick Majesty shall appoint.

ART. VIII. It will depend upon his Britannick Majesty to retain this corps of troops in his service all the time of the duration of this Treaty, to make use of them in any part of Europe where he may have occasion for them, provided it be not on board the fleet, from the time of its quitting the territories of the Serene Margrave; and when His Majesty the King of Great Britain shall think proper to send back the said troops, he shall give three months previous notice to His Serene Highness, and shall make him an allowance of a month's pay for their return, furnishing them also with the necessary means of transport gratis.

ART. IX. His Britannick Majesty promises to attend, as much as possible, to the safety of the dominions and possessions of His Serene Highness, and to direct the military operations, as much as circumstances may permit, in such manner that the country of His Serene Highness may be covered and spared as much as possible. If, however, notwithstanding the precautions which shall be taken with that view, the country of His Serene Highness should be invaded by the enemy, on account of the present Treaty, His Britannick Majesty shall endeavour to procure to the country of His Highness the Margrave, an indemnification proportionable to the loss occasioned by the invasion.

ART. X. The sick of the said Baden corps shall remain under the care of their own physicians, surgeons, and other persons appointed for that purpose, under the command of the colonel commanding the corps of troops, and every thing shall be granted to them which His Majesty grants to his own troops.

ART. XI. All deserters from the said Baden corps shall be faithfully restored, as often as they shall be discovered in places dependent upon His Britannick Majesty.

ART. XII. It is agreed, that, at the review to be made in spring, at the beginning of a campaign, by the commissary of His Britannick Majesty,

Tre
tu

T
Euro
circu
frien
estab
alway
name
Illustr
Gren
Privy
partm
Most
Mello
jesty,
Order
James
from H
Vol

Majesty, the corps ought to be compleat, or the pay of those wanting to compleat shall be retained; on the other hand, the pay of those who may be wanting from one spring review to the next shall not be retained, but shall be allowed without abatement, as if they were compleat: and, instead of what was formerly paid for recruiting, in the room of one killed or three wounded, it is agreed, that each man furnished shall be paid for, without distinction, at the rate of twelve crowns Panco a head, under the express condition, however, that what is here agreed on shall only regard the recruiting, which is referred to in this article.

ART. XIII. All the expences of transport for the troops, as well for the men as for their effects, shall be defrayed by His Britannick Majesty,

ART. XIV. This Treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible.

In witness whereof, we the undersigned, authorized by full powers from His Majesty the King of Great Britain on one side, and His Serene Highness the reigning Margrave of Baden on the other, have signed the present Treaty, and have thereto put the seals of our arms.

Done at Carlruhe, the 21st day of September, in the year of our Lord one thousand seven hundred and ninety three.

YARMOUTH. (L. S.)

Baron de GAILING. (L. S.)

Treaty between His Britannick Majesty and the Queen of Portugal. Signed at London, the 26th of September, 1793.

THEIR Britannick and Most Faithful Majesties having resolved, in consideration of the present circumstances of Europe, to substantiate, by means of a Treaty adapted to those circumstances, their intimate and mutual confidence, as well as the friendship and good understanding which have been so happily established between their August Predecessors, and which they are always desirous more and more to confirm, and improve, have named for that purpose, viz. His Britannick Majesty, the Most Illustrious and Most Excellent Lord William Wyndham, Baron Grenville of Wotton, one of His Majesty's Most Honourable Privy Council, and His Principal Secretary of State for the Department of Foreign Affairs; and Her Most Faithful Majesty, the Most Illustrious and Most Excellent Lord Don John D'Almeida de Mello Castro, Member of the Council of Her Most Faithful Majesty, and Councillor in her Council of Finances, Knight of the Order of Christ, Commander of Port Ancho, in the Order of St. James, and Envoy Extraordinary and Minister Plenipotentiary from Her said Most Faithful Majesty to His Britannick Majesty;

Vol. I.

R

Who,

Who, after having communicated to each other their respective full Powers, have agreed upon the following articles :

ARTICLE I. Their Britannick and Most Faithful Majesties will employ their utmost attention to re-establish the public tranquillity upon solid and permanent foundations, and to maintain their common interests and the security of their respective dominions. And Their Majesty's engage to act in concert, and in the most intimate confidence, for the accomplishment of these salutary ends.

ART. II. The persons who have exercised the powers of government in France, having declared against His Britannick Majesty an unjust and unprovoked war, Her Most Faithful Majesty confirms the obligation which Portugal has contracted by former Treaties for concurring in mutual defence, and engages to furnish, as an auxiliary power and an ally of His Britannick Majesty, all the succours which shall be compatible with her own situation and security, in order that they may act at the absolute disposal of His Britannick Majesty.

ART. III. In consequence of what is stipulated in the preceding article, and in order that the British and Portuguese vessels may be mutually protected during the present war, as well in their navigation as the ports of the two high contracting parties. Their Britannick and Most Faithful Majesties have stipulated and agreed with each other, that their squadrons and ships of war shall convoy, without distinction, the trading vessels of the two nations, in the same manner as is established for those of their own nations, as far as circumstances may permit; and that both their ships of war and trading vessels shall be admitted and protected in their respective ports, and shall be furnished with all the succours of which they may stand in need, at the current prices of the country.

ART. IV. Her Most Faithful Majesty promises to shut all her Ports against all the French ships of war and privateers, during all the time that France shall be at war with His Britannick Majesty; Her Most Faithful Majesty will prohibit her subjects from exporting from her said ports for those of France, or from carrying to the ports of France, from any other port whatsoever, any military or naval stores, or even corn, salted meat, or any other provisions; Her said Majesty also engages not to give, nor to permit her subjects to give, any protection whatsoever, either directly or indirectly, to the trade or property of the French, on the sea, or in the ports of France; and will take, in consequence of what is declared in this article the most severe measures, in order to maintain the above-mentioned prohibition in its full force.

ART. V. If either of the high contracting parties should be attacked, molested or disturbed in any of their dominions, rights, possessions, or interests, at any time or in any manner whatsoever, by sea or land, in consequence or in hatred of the articles or stipulations contained in the present Treaty, or of the measures to be taken by the said contracting parties in virtue of this Treaty, the other

other contracting party engages to assist and to make common cause, in the manner stipulated by the aforesaid articles.

ART. VI. Their Majesties, in consequence of the stipulations of the Treaties now subsisting between them, as well as of those contained in this Treaty, mutually engage, that in case, during the present war, either for the reason above-mentioned, or for any other cause, France should attack the dominions of Her Most Faithful Majesty, or her ships of war, or trading vessels, or should commit any hostilities whatever, they will not only make common cause in the said war, and afford to each other all possible succours, conformably to the said Treaties, but also that, during the said war, they will shut their ports to all French ships whatsoever; and that they will not lay down their arms (unless by common consent) without having obtained a due satisfaction, as well as restitution, of all the dominions, territories, islands or possessions, which shall have belonged to either power before the commencement of the war, and of which the enemy may have taken possession during the course of hostilities.

ART. VII. Their Britannick and most Faithful Majesties engage to ratify the present Treaty, and the ratifications thereof shall be exchanged in the space of six weeks, to be computed from the day of the signature, or sooner, if it can be done.

In witness whereof, we, the undersigned Ministers Plenipotentiary of their Britannick and Most Faithful Majesties, have signed the present Treaty, and have caused to be affixed thereto the seals of our arms.

Done at London, the twenty-sixth day of September, one thousand seven hundred and ninety-three.

GRENVILLE.

(L. S.)

D. JOAO DE ALMEIDA DE MELLO DE CASTRO. (L. S.)

Treaty between His Britannick Majesty and the Landgrave of Hesse Darmstadt. Signed at Langen Candel, the 5th day of October, 1793.

BE it known to those whom it may concern, that His Majesty the King of Great Britain, being desirous of taking into his service a corps of the troops of His Serene Highness the Landgrave of Hesse Darmstadt, to be employed in the present war against France; and His Serene Highness being disposed, as a proof of his attachment to his said Majesty, to furnish a corps of his said troops, His Britannick Majesty has thought proper to nominate, on his part, as his Minister Plenipotentiary, Francis Earl of Yarmouth, one of his said Majesties Most Honourable Privy Council; and his Serene Highness has nominated, on his side, for the same purpose, Count Francis de Jenison Walworth, Knight of Malta, Marshal of his Court, and Colonel of Cavalry, and George William Panzer-
bieter,

bieter, his Councillor of the Chamber: who, being furnished with the necessary full powers, have agreed to take for basis of the present treaty, the treaty concluded at Cassel, the 10th of April last, between His Britannick Majesty and the Landgrave of Hesse Cassel; and the said Plenipotentiaries have agreed, in consequence, upon the following articles.

ARTICLE I. There shall be therefore, in virtue of this treaty between His Majesty the King of Great Britain, and His Serene Highness the Landgrave of Hesse Darmstadt, their successors and heirs, a strict Friendship, and a sincere, firm and constant union, so that the one shall consider the interest of the other as his own, and shall strive to promote them with good faith, as much as possible, and mutually to prevent and remove all disturbance and injury.

ART. II. His Majesty the King of Great Britain, desiring to secure for his service in Europe a body of the troops of the Serene Landgrave, and His Serene Highness, wishing for nothing more than to give the King real proofs of his strong attachment for his Majesty, engages, by virtue of this article, to keep in readiness for this purpose, during the space of three successive years, reckoning from the day of the signature of the present treaty, a body of three thousand men, including officers, according to the specification hereunto annexed. This corps shall be completely equipped, furnished with tents, and all necessary equipage, and shall be put upon the best possible footing, and none shall be admitted into it but disciplined men, and capable of serving immediately, acknowledged as such by the Commissary of His Britannick Majesty. As in the present circumstances there is no time to be lost, the above mentioned Plenipotentiaries have agreed that the day of the signature of the present treaty shall be deemed to be also the period of the requisition for the march of the troops above mentioned; and that the said troops shall be in readiness to pass in review before the Commissary of His Britannick Majesty on the seventeenth of October of the present year, and to begin its march the following day for the place of its destination. These troops shall not be separated, unless the course of the war should require it, but shall continue under the orders of their Hessian chief, under the command, however, of the general to whom his Britannick Majesty shall entrust that of his whole army.

ART. III. Each battalion of infantry of this corps of troops shall be provided with two field pieces, and the officers, cannoncers, and other men and equipage attached to them.

ART. IV. In order to defray the expences to which the Serene Landgrave shall be put, by equipping the above mentioned corps of three thousand men, His Majesty the King of Great Britain promises to pay to his Serene Highness, for each horseman or dragoon, properly armed and mounted, eighty crowns banco, and for each foot soldier thirty crowns banco. This levy money shall be paid in fifteen days after the signature of the present Treaty.

ART. V. Besides what is stipulated in the preceding article, His Majesty

Majesty the King of Great Britain engages to cause to be paid to the Serene Landgrave, an annual subsidy during the three years that this Treaty shall last. This subsidy shall commence from the day of the signature of this Treaty, and it shall be paid at the rate of eighty four thousand three hundred and seventy-five crowns banco per annum, the crown being reckoned at fifty-three sols of Holland, or at four shillings and nine pence three farthings English money.

When the said troops shall be sent back by His Britannick Majesty, from the day of their return into the territories of the Serene Landgrave, till the expiration of the Treaty, the subsidy shall be continued upon the same footing of eighty-four thousand three hundred and seventy crowns banco per annum. The payment of this subsidy shall be regularly made without any deduction, and quarterly, in the town of Darmstadt, into the general treasury of the Serene Landgrave authorized to receive it; and in case that, on either side, it should be judged expedient that the number of the corps of troops should exceed three thousand, the subsidy shall be proportionably augmented, unless it shall be otherwise agreed upon. His Majesty shall continue equally to this corps the pay and other emoluments, during the remainder of the month in which it shall repass the frontiers of Darmstadt, and arrive in the territories of His Serene Highness.

ART. VI. With regard to what relates to the pay and allowances, both ordinary and extraordinary, of the said troops, during the time that they shall be actually in the pay of Great Britain, it is agreed that as long as they shall serve in the empire, they shall enjoy the same advantages and emoluments which his Majesty grants to his German troops, according to the effective establishment of the said corps at the time of their being delivered, which shall be verified by a list signed by the respective ministers of the high contracting parties, which shall have the same force as if it were inserted word for word in the present Treaty. During the time that they shall be employed in the low countries, they shall be treated in the above-mentioned respect, upon the footing of Dutch troops, it being understood that in both cases, that is to say, in that of the German pay, as well as in that of the Dutch, the allowances shall not be inferior to what was granted in former wars to the troops of Hesse Cassel; and, if the nature of the war should require that those troops should serve in different countries upon the continent of Europe from those abovementioned, they shall, in that case, be put, in every respect, on the same footing with the most favoured of His Majesty's auxiliary troops.

If it shall happen that they should be employed in Great Britain, or in Ireland, as soon as the notification, in such case, shall be made to the Serene Landgrave, they shall be put on the same footing, in every respect, as His Majesty's British troops.

All these allowances for those troops shall be paid into the general

ral treasury of his Serene Highness, without any abatement or diminution, in order to be distributed.

ART. VII. If it should unfortunately happen that some regiments or companies of the corps abovementioned should, by any accidents be wholly or partially ruined or destroyed, or that the pieces of artillery or other effects, with which it may be provided, should be taken by the enemy, his Majesty the King of Great Britain will pay the expences of the necessary recruits and remounting, as also the value of the said field pieces and effects in order speedily to restore the artillery, regiments or companies to their former state: and those recruits shall be put upon the same footing as those of the troops furnished to his Majesty by his Serene Highness the Landgrave of Hesse Cassel, by the treaty of subsidy, signed at Cassel the 10th of the month of April of the present year, in order that the corps of his Serene Highness the Landgrave of Darmstadt may be always preserved and sent back hereafter in as good a state as that in which it was delivered; and the recruits annually necessary shall be delivered to the English Commissary, disciplined and compleatly equipped, at the place of their destination, at the time which his Britannick Majesty shall appoint.

ART. VIII. It will depend upon his Britannick Majesty to retain this corps of troops in his service all the time of the duration of this treaty, to make use of them in any part of Europe where he may have occasion for them, provided it be not on board the Fleet, from the time of its quitting the territories of the Serene Landgrave and when his Majesty the King of Great Britain shall think proper to send back the said troops, he shall give three months previous notice to his Serene Highness, and shall make him an allowance of a month's pay for their return, furnishing them also with the necessary means of transport gratis.

ART. IX. His Britannick Majesty promises to attend, as much as possible, to the safety of the dominions and possessions of his Serene Highness, and to direct the military operations, as much as circumstances may permit, in such manner that the country of his Serene Highness may be covered and spared as much as possible. If, however, notwithstanding the precautions which shall be taken with that view, the country of his Serene Highness should be invaded by the enemy, on account of the present treaty, his Britannick Majesty shall endeavour to procure to the country of his Highness the Landgrave an indemnification proportionable to the loss occasioned by the invasion.

ART. X. The sick of the said Hessian corps shall remain under the care of their own physicians, surgeons, and other persons appointed for that purpose, under the command of the General commanding the corps of troops, and every thing shall be granted to them which His Majesty grants to his own troops.

ART. XI. All deserters from the said Hessian corps shall be faithfully restored, as often as they shall be discovered, in places dependent upon His Britannick Majesty.

ART.

ART. XII. It is agreed, that, at the review to be made in spring, at the beginning of the campaign, by the Commissary of His Britannick Majesty, the corps ought to be compleat, or the pay of those wanting to compleat shall be retained; on the other hand, the pay of those who may be wanting from one spring review to the next shall not be retained, but shall be allowed without abatement, as if they were compleat; and, instead of what was formerly paid in similar case for recruiting, in the room of one killed or three wounded, it is agreed, that, each man furnished shall be paid for, without distinction, at the rate of twelve crowns Banco a head, under the express condition, however, that what is here agreed on shall only regard the recruiting, which is referred to in this article.

ART. XIII. All the expences of transport for the troops, as well for the men as for their effects, shall be defrayed by his Britannick Majesty.

ART. XIV. This treaty shall be ratified by the high contracting parties, and the ratifications thereof shall be exchanged as soon as possible.

In witness whereof, we the undersigned, authorized by full powers from His Majesty the King of Great Britain, on one side, and of His Serene Highness the reigning Landgrave of Hesse Darmstadt, on the other, have signed the present treaty, and have thereto put the seals of our arms.

Done at Langen Candel, the 5th day of October, in the year of our Lord one thousand seven hundred and ninety-three.

YARMOUTH.

(L. S.)

JENISON WALWORTH.

(L. S.)

GEORGE GUILLAUME PANZERBIETER.

(L. S.)

Declaration published in the King's Name, and by his Majesty's Order, by their Excellencies Vice-Admiral Lord Hood, the Right Honourable Sir Gilbert Elliot, Bart. and Lieutenant General O'Hara, His Majesty's Commissioners Plenipotentiary at Toulon, the 20th of November, 1793.

WE the undersigned, Commissioners Plenipotentiary of His Majesty the King of Great Britain, do hereby publish, by His order and in His name, the following declaration.

His Britannick Majesty having been informed of the circumstances under which the town, harbour, and forts of Toulon, and the ships in the said harbour, have been intrusted to Vice-Admiral Lord Hood, Commander in Chief of His Majesty's ships and vessels in the Mediterranean, and of the declaration and proclamations published by the said Vice-Admiral, as well as of the declaration made to him on the part of the inhabitants and people of Toulon, has thought fit for the entire satisfaction of the said inhabitants and people, and for the further explanation of His Royal intentions, to declare as follows.

I. When

I. When monarchy shall be re-established in France, and a treaty of peace shall be made and concluded, stipulating, in favour of his Majesty, and his allies, the restitution of all conquests made by France during the war, and a just indemnification for the losses and expences thereby incurred, and a proper security for the future, His Majesty will restore the town, harbour, and forts of Toulon, together with the ships and stores therein, according to the engagement entered into for that purpose, by the said Vice-Admiral.

II. His Majesty has given directions that the most effectual measures shall be taken for the protection of the persons and property of the inhabitants of the said town, and for procuring them the supplies of provisions, and other articles, of which they may stand in need; and His Majesty is also pleased to approve of continuing all persons who held civil or military employments, in their respective places and occupations, as far as circumstances and the good of the common cause will permit.

III. His Majesty will do every thing in his power, and in concert with his allies, to repel any attacks which may be made against Toulon, and to extend his protection to all those who may be desirous to have recourse to it, under proper conditions.

IV. His Majesty ardently wishes the happiness of France; but by no means desires, on that account, to prescribe the form of its government. The King claims the right of taking a part, only because the anarchy, which now desolates that country, threatens the tranquillity of his own subjects, and that of the other powers of Europe, whose peace and safety materially depend on the re-establishment of order in France, and of a regular system, which may hold out to them a secure ground of negotiation and friendship: And his Majesty does not hesitate to declare, that the re-establishment of monarchy, in the person of Louis XVII. and the lawful heirs of the crown, appears to him the best mode of accomplishing these just and salutary views. This form of government has not only prevailed in France from the earliest times, but, being capable of such limitations as may suit the respective circumstances of different nations, has been proved by experience to be the best adapted, in great countries, to unite the advantages of security and order with real liberty.

Such a system, subject to the wise modifications which may hereafter be made therein, in a regular and legal manner, when tranquillity shall have been restored in France, would afford to his Majesty the best and most pleasing prospect of terminating the evils and miseries now endured by the French nation, and of the renewal of a regular and amicable intercourse between that country and other states.

It is to the attainment of this important object that all his Majesty's measures will be directed; and his protection and assistance will be extended, as far as circumstances will admit, to all those who manifest their desire to concur in so salutary a work.

HOOD.

GILBERT ELLIOTT.
CHARLES O'HARA.

HOUSE OF LORDS.

WEDNESDAY, *January 22.*

The House went to St. James's to present their Address to his Majesty.

HOUSE OF COMMONS.

The usual committees and orders were renewed.

The report of the Address was brought up, and agreed to.

Mr. Fox reminded the House that copies of certain treaties had been laid on the table so late in the last session that there was not an opportunity of taking them into consideration. He wished to know whether or not it was intended to move for taking them into consideration, because some of them appeared to be so adverse to the interests of Great Britain, that if Ministers did not mean to call the attention of the House to them, he would.

The *Chancellor of the Exchequer* said, any gentleman might move to have them brought under discussion, or might deliver his sentiments respecting them when the subsidies stipulated came to be moved for in the Committee of Supply.

Ordered that the Chaplain preach before the House on the 30th instant.

HOUSE OF LORDS.

THURSDAY, *January 23.*

TRIAL OF MR. HASTINGS.

The *Duke of Norfolk* moved, that the order upon their Lordship Journals, to proceed further on the trial of Warren Hastings, Esq. be read; which being done, it appeared that the day appointed for that purpose was the second Tuesday in this session.

His Grace then moved that the order be discharged, and that they should further proceed on that trial on the 13th of February.

A short conversation took place between *Lord Radnor* and the *Lord Chancellor*, after which the motion was agreed to.

MOTION TO ACKNOWLEDGE THE FRENCH REPUBLIC.

Earl Stanhope.—"My Lords, I have always been of opinion that many of the proceedings which have been adopted with respect to France have been adopted from misconception, from false intelligence, or from ignorance of the leading principles, and of the most important facts of the French Revolution. It is, therefore, my wish and my intention to appreciate

ciate the situation of France and the situation of Great Britain; I will call on ministers for an explanation of those very extraordinary measures, which (as I know that all is not wrong which appears to be wrong) I hope, for the sake of their characters, they will be able to give to the satisfaction of every one. I will also call upon them to point out to this House any one promise made, with respect to France, which has been performed—any one prediction which has come to pass—any one prophecy which has not as regularly been belied by the event.

“ Your Lordships will all recollect a measure which underwent much discussion and debate last session in both Houses of Parliament, I mean the Traitorous Correspondence Bill—a measure of the most important nature, on account of the lights which it threw out, and the view which it afforded of the minister's sentiments and expectations. The clauses of that Bill must be still fresh in your Lordships' recollection.

“ One of these clauses was to prevent the exportation of arms from this country. It was said, that if this were done, the French could not possibly procure arms. Now, my Lords, what is the fact? I suppose you will not think that the French want artillery; they have the finest train in the world. In the report of the war minister of France presented to the National Convention, it was stated that the amount of the muskets was seven hundred thousand, which were chiefly distributed through the different departments. I know the ground on which the delusive expectations of ministers were formed. They imagined, from a report presented by a former war minister, that the French could not make above 40,000 stand in a year; instead of that, my Lords, the fact is, that at Paris they make 1000 stand of arms per day, or 300,000 a year.

“ Another clause in the Bill was, to prevent the exportation of ammunition. I will state the fact on this subject; By a report presented to the first National Assembly it appeared, that the nation had gunpowder enough for seven years of the most bloody war that could take place, and saltpetre for seven years more. The last article they continue to make. My Lords, I can easily divine the cause of that smile which I observe on your countenances. You imagine that these ministers of the French Republic have misled the people. Do not depend too much on such a supposition. Recollect that every minister of France has the guillotine behind him, and I think that all ministers of all other countries who endeavour to mislead the people, deserve the guillotine also. A clause was also inserted in the Bill with respect to clothing. What is the fact? Has the clause produced the expected effect? No: The French troops are as completely clothed as any troops in Europe;

Europe; not indeed in regimentals, or uniforms, or dress of this or that particular colour; but the Austrians themselves confess that they are well clothed. But if they were not, do they mind the foppery of dress when they are fighting for their liberties?

“The next expectation that was held out related to money. It was said that the French had no money; really, my Lords, this struck me much. The same argument was used in the numerous discussions on the American war: The Americans had no money, and they did without it. Recollect, my Lords, the sentiments of that virtuous and incomparable statesman, Sir George Saville: ‘Whatever a nation chuses to substitute for money will have the same value.’ Such were his words, and they were full of truth; for there were various ways of representing specie by attaching its value to paper, or any other material substituted in the stead of money. But do you imagine that the French want money? No; for I believe they have more gold, silver, and bullion, than all the rest of Europe. They have produced this effect by two loans, one a forced, the other a voluntary loan: The forced loan has for its solid security the national lands, and the voluntary loan is so good a thing, that every person is eager for it, and endeavouring to get a part of it, as they are of the loan in this country. And now, my Lords, I proceed to assignats. I once said that they were worth more than the notes of the Bank of England—I remember that that opinion was almost universally scouted; it was laughed at, when I ventured to declare it, as monstrous and extravagant; but I have not abandoned it, and I will assign my reasoning for entertaining it. I think that these assignats will proceed in a progressive ratio of increase, while Bank notes will always remain the same. Since December assignats have risen at least 40 per cent.; consequently those who bought them when I delivered my opinion would have gained 40 per cent. on such as they have continued to hold; whereas he that possessed a 10*l.* Bank then, and yet holds it, has but 10*l.* still.

“I must therefore insist, my Lords, that it was fallacious and reprehensible in ministers to state that the French had no means of supplying themselves with money but from England! The most absurd idea that ever entered the mind of man!

“It has been estimated, that after all the expences of the last campaign have been defrayed, the national landed property of France will amount to 153 millions sterling! But these lands, it seems, would not sell. What is the fact? They have risen four, five, six times their estimated value; and such is the confidence of the people, that the very lands

even on which the Prussians were encamped, sold for double the price at which they were put up.

"Another expectation held out was, that the Prussians and Austrians were the finest troops in Europe, and that the French wanted discipline. My Lords, I have seen persons who have talked with the Duke of Brunswick and the Austrian Generals on the subject of French discipline, and they are absolutely alarmed:—Beat them on Monday, Tuesday, Wednesday, and they bring men to the cannon's mouth, and attack again on Thursday, and those disciplined troops are forced to retreat; and yet they still want discipline! My Lords, I am sure I do not mean any thing disrespectful to the allied powers; but what was the discipline at Toulon? A sortie was made by English troops, Spanish, Neapolitan, Portuguese, and Emigrants.

"When orders were to be given, were they given with that promptitude which is so necessary in military operations? No: The commands were given by the General in one language, and the different commanders were forced to send for the interpreters, who were not always to be found. In consequence, one half of the troops employed in the sortie were killed and wounded, and the other half ran away. Was this owing to misconduct? No: The sortie, we are informed, was well planned and well executed; but the troops disobeyed orders, and this they call discipline. This confusion at Toulon was like the confusion at Babel.

"The next mode by which the French were to be conquered was by preventing their getting corn, and starving them. France was to be *hermetically sealed up*; or, as was said during the American war, they were to be subdued by a system of *starvation*—by the cruel and disgraceful project of creating a famine. Good God! thirty millions of the human race were to be starved! The folly of such an idea could only be equalled by its wickedness. But were the armies alone to be starved? No: They have proved that they will take care to supply themselves with provisions. The old men then, the women, and the children, the infirm, and the aged, were to be starved! When the young, the active, and vigorous began to feel the want of bread, and the pressure of famine, the natural effect would be, they would be forced into the armies in order to be sure of being amply supplied with provisions. But the truth is, that France is in no want of provisions.

"My Lords, in the debate of Tuesday, the only nobleman who appeared to me to make use of fair reasoning, or met the question properly, was the noble Lord who seconded the motion for the Address; and he allowed it was impossible to imitate the French in the mode of raising troops. I will do
the

the noble Lord justice—it is, my Lords, impossible. The ministers of this country will not enter upon such a measure; the Prussians and Austrians much less. But the excellence of the French military system consists in not enlisting soldiers for life—they only serve for a number of years: Indeed under the old government they were not enlisted for life. Thus the drill-serjeants and veteran soldiers have been dispersed through the country, and have taught the people a mode of discipline which has made them excellent soldiers even before they entered into the army.

“ If this rising of the people in a mass be what the French call it, *The Lever of Archimedes*, the effect, I infer, must be terrific!

“ Your Lordships do not seem to be fully impressed with that enthusiasm which pervades the minds of the French people. Of that enthusiasm I will give your Lordships an instance: A battalion was accused of entertaining counter-revolutionary sentiments, of singing counter-revolutionary songs, and of trampling the national cockade under feet. As soon as the intelligence of this disaffection was received at Paris, the relations and friends of the battalion, to the amount of 600, proceeded in a body to the Convention, and demanded that the national vengeance should cut off those traitors to the Republic. You have heard, my Lords, of one Brutus who condemned his children to death, but he was a public officer and a magistrate, and only did his duty. Here were, however, 600 persons, who, bound by no law, but animated only with a sense of the duty they owed to their country, sacrificed all the fond sentiments, the endearing attachments of kindred and friendship, in order that traitors might receive the just recompence of their treachery.

“ The French, however, have committed many crimes.— They have taken the Civil List; they have taken a quantity, a great quantity of property from the Clergy, and immense sums from individuals, so immense that they will be sufficient to defray all the expences of the next campaign. They have also removed the bells from the churches where they were unprofitably and uselessly dangling. They have made the gold and silver saints descend from the altars, and have sent them to the mint, the crucible, and the melting-pot. But do I deduce the wealth of the Republic from these things? No. If I am asked where the treasury of the French is, I say that it exists in the hearts of the people. They will not want money while there is a single crown in France, nor recruits for their armies, while there is a single man in the country!

“ If

" If ministers be yet to know why they cannot imitate the example of the French in carrying on the war, I will tell them—I have been in the West—I live in the South—and I have heard from the North—and ministers may be assured I speak correctly, when I say, that the people are neither ready to spend their last guinea, nor to sacrifice their last man in support of the war.

" Let ministers recollect what a resource, in respect to their armies, the rapid population of that large kingdom furnishes. Since the commencement of the revolution, children have grown to lads, and lads to men: They have imbibed no old notions to which they must return, but have been bred up in the principles of liberty, and have been taught to regard it with enthusiasm; and this is the grand and firmest principle of the revolution.

" In the disaffection in France, I would counsel ministers not to place too much confidence: From the club of the Jacobins, which is the Convention, increased by persons coming from all parts of France, they have expelled all suspected persons; and so secure are the members of the support of the people, that citizen Dubois-Crance, a man of great abilities, lately proposed to ensure success by this proposition, 'We must not retreat, let us cut off the possibility of retreat.' He went further, and declared, he wished that every person should be asked, what he had done to deserve the honour of being hanged, if a counter-revolution should be effected?—And it would be an honour to be hanged in the cause of liberty—I would be the first to die on the gallows, or to lose my head under the guillotine, in the sacred and immortal cause of liberty: And I would make good my profession, my Lords, if ever the occasion should unfortunately require it.

" In the debate of last session, relative to the war, I suggested that the cause originated in a wish to interfere in the internal government of France. The Secretary of State denied it. I must, however, persevere in my opinion, and affirm that the conduct of ministers has given me a right to assert that this is the cause of the war.

" My Lords, among the atrocious acts which the allies have done, is to be classed the different conduct which they have adopted at different periods.

" At Toulon, Lord Hood published a declaration, in which he stated the object of the Allies to be the restoration of the constitution of 1789. The allies of the English at the same moment declared, that the object was to restore the ancient despotism.

" When

“ When Dumourier (who was only the admiration of ministers for a week, on account of his treachery having been unsuccessful) deserted the republic, he advised the Prince of Cobourg to issue a proclamation, promising to restore the constitution of 1789, as modified in 1791. Dumourier well knew, that the French would not endure a moment the old despotism. Such a proclamation as he advised, was published by the Prince of Cobourg; in a week afterwards, however, the Prince annulled this proclamation, and stated only that it was necessary to adopt vigorous measures against the French. Next appeared a declaration on the part of England; and afterwards a manifesto from General Wurmser, in which he orders all the despotic authorities to be restored. *Orders?*—what a word to freemen! My Lords, had I been a Frenchman, inclined to treat with the allied powers, I should have been ashamed of the numerous acts of duplicity which they have committed within the short space of six months: And yet it is still insisted that the views of the allies are perfectly conformable.

“ My Lords, I condemn the English declaration, because it holds out delusive hopes: It promises protection to all who will declare in favour of monarchy.

“ Let the inhabitants of Strasburgh, who have died by the guillotine—Let the men of Lyons, who have fallen—Let the royalists of La Vendée, who have been exterminated—and the inhabitants of Toulon, who have been abandoned—let them tell you what protection they have received!

“ My Lords, one of the unfair and uncandid measures of those who have opposed the French, is, that they have made no distinction between the permanent constitution and the provisional government of France. The republic is in a state of siege, and forced to adopt a military form of administration. I will point out the difference between the permanent and provisional government; and it cannot be too much attended to.

“ Brissot and his party were entrusted with the important task of making a constitution: They were a long while employed on the subject; and when they produced their work, it was miserably ill done.

“ The most important part they included in an appendix, which they dared not publish. Of the defects of this constitution, one of the most striking is, that when a minister was to be chosen, abilities were not to be attended to, but the whole people was to be polled. When a minister was accused of misconduct, he was to be tried by a jury; and in the meantime

time all the other ministers were to be suspended, and the business of the nation was to stand still.

"As soon, however, as the party called the *Montagne* came into power, they produced a constitution in a few weeks. Of the effect of this constitution, I will afford you a strong proof: When the constitution appeared, the departmental forces were marching to overawe Paris. The constitution met them on the road, and was received with such applause that they all returned home and laid down their arms.

"I will read to you, my Lords, several extracts from the constitution, and you will see that the declaration of the Rights of Men does not sanctify the principle of equality of property, as has been wickedly represented. No, my Lords, the declaration states, that

'The people of France, convinced that the forgetfulness and neglect of the natural rights of man, are the sole causes of the misfortunes of this world, have resolved to promulgate in a solemn declaration, those sacred and inalienable rights; in order that all citizens, being able to compare at all times, the measures of government with the end of every social institution, may never suffer themselves to be oppressed and degraded by tyranny.

'In order also, that the people may never lose sight of the foundations of their liberty and their happiness—the magistrate of the rule of his conduct, and the legislator of the object of his mission—

'In the presence, therefore, of the Supreme Being, the following declaration of the Rights of Men and Citizens is made:

I. The object of society is the common good.

'Government is instituted for the purpose of guaranteeing to man the enjoyment of his natural and imprescriptible rights.

II. These rights are,

Equality,

Liberty,

Security of persons and property.'

"The following is the definition of liberty, and a more accurate definition never was given by the wisest men of any age:

'Liberty is that sacred principle which permits every man to do that, which does not injure the rights of another: Its principle is nature—its rule is justice—its end public good—it consists in *doing unto others as you would they should do unto you.*' Thus the great basis of the Christian religion is made the fundamental principle of the French constitution.'

"The

“The definition of property is, that

‘The right of property is, that right which belongs to every citizen to enjoy and dispose of at pleasure, goods and revenues, the fruit of labour, and the produce of industry.’

“Such is the outline of the French republican constitution: If it be so wicked, that all nations must plunge themselves into carnage and havoc to destroy it, let ministers speak out and tell us so.

“I will now state what the French say with respect to foreign powers:

‘The French people is the friend and the natural ally of every free people.

‘It does not interfere in the government of other nations: It does not suffer other nations to interfere in its own.’

“They do not say that Great Britain is not free. No: They once joined in the Jacobin club the flags of England, America, and France, as three nations fit to be united.

“This constitution thus affords you a guarantee, which may induce you to make peace with security—a guarantee of every parish in the kingdom: For it was voluntarily and unanimously subscribed to by every parish in France, as soon as it was presented to them.

“It might hence be supposed that a sufficient reason was afforded to ministers to follow the advice given by Lord Chatham during the American war.—‘It is not,’ said that great man, ‘repealing scraps of paper and parchments called Acts of Parliament, that will produce any advantage: Repeal the ill-blood and ill-will that subsists between this country and America!’

“So do I advise the ministers of the present day: ‘Repeal the ill-blood and ill-will that subsists between France and England,’ and you will then do wisely and well.

“A noble Duke (Portland), not formerly in the habit of supporting administration, and a noble Earl (Carlisle), inveighed, in the debate of Tuesday, against the French as Atheists. My Lords, I can disprove this charge; but I will first say, that we have no right to interfere in matters of religion.

“My Lords, I will not pretend to assert that there are no Atheists in France; there certainly are; but atheism is not the character of the present rulers. Robespierre, who has been within this day or two so much vilified and traduced, was lately accused in the Jacobin club by a member, of having too much religion.

“Atheism prevailed in France before the revolution. In that kingdom there were three descriptions of people; the

aristocrats and the clergy, the middling or trading class, and the peasantry; these two latter classes, as in most countries, were the true and zealous believers, and sincerely attached to their religion.

"The Atheists of France were the rank Aristocrats, and several literary men and the foremost among the clergy. I remember when I was in France, twenty years ago, being anxious, as a foreigner, to be present at every thing worthy notice, I went to a private house in Paris where meetings were frequently held of the first literary characters of the times, for the sake of conversation and contest. At such meetings a great deal of wit and repartee was to be heard, and I was present at a curious argument between Mons. d'Alembert and a foreign Ambassador, the representative of a Sovereign Prince, I don't mean the noble Earl near me" (Lord Mansfield). (Lord Mansfield and other Peers said, "You mean *Carraccioli*"). Earl Stanhope said, "My Lords, I named not any person, but it was the Neapolitan Ambassador. The question agitated was, whether the existence of a Divinity ought to be imposed on mankind? D'Alembert said 'he thought it was a fair *fraud*.' The Ambassador denied it, and maintained that it was too gross an abuse to be passed on the public. At this conversation, My Lords, there were present many noblemen, ladies of distinction, and many bishops, and of the higher clergy, wearing their gold crosses and their other insignia. My Lords, I will state another curious fact in support of my argument—

The Bishop of Durham rose to speak to order. His Lordship said, that in common with the rest of the House he had listened with great patience to hear the noble Earl's *farrago*, which, although it might have been proper for the place, if the noble Earl had enjoyed the honour of a seat in the Club of Jacobins at Paris, certainly was by no means consistent with the decency and decorum usually preserved in that House, where some regard was paid to religion. He trusted, therefore, as the greater part of the noble Earl's speech did not apply to the motion with which it was generally understood he meant to conclude, the House would join with him in expressing a wish that the noble Lord would forbear from discussing topics too serious in themselves to be treated with levity, in any place, much more in a dignified and august assembly, such as that was in which he had the honour to address their Lordships at that moment. With regard to the permanent constitution, of which the noble Earl had spoken in terms of eulogium, the leading members of the Jacobin club would have had very little policy, if they had not held out to the people a form of constitution plausible in itself, but calculated rather to deceive the

the

the million and cover their own measures, than intended by those who framed it, ever to take place, or be carried into execution.

The Earl of Abingdon reminded their Lordships that the noble Earl had told them in the course of his speech, that he wished to be hanged. Let the House but give the noble Earl rope enough, and he had no doubt but he would hang himself.

Earl Stanhope rose again, and said, as the learned Prelate had thought proper to call him to order, he ought to have shewn in what particular he had been disorderly: In fact he had not been out of order in the smallest degree*; but it was a little extraordinary, that the Honourable and learned Prelate should have charged him with having advanced arguments that did not apply to his motion, before he had insinuated what his motion would be. He would, however, proceed with his speech, and state that curious fact he was about to mention, when he had been interrupted. Among the stores taken in *La Vendée*—(*Here there was a general exclamation of disgust*) My Lords, said the Earl, I am not defending atheism, or justifying the fact that I have related: I say it was infamous, revolting to decency, and scandalous in the highest degree. I am myself a friend to religion, and I countenance no abuse of it; but, My Lords, I will proceed to the other fact I was about to state—(*The expression of disgust being reiterated*), his Lordship said, My Lords, I will forego my purpose, though it was the mere statement of a matter of fact; but it is enough for me at any time to forbear what I was about to say, when I understand that the House does not like it.

"As the subject is disagreeable to your Lordships, I am sure I will not press it; but as the French had been accused of atheism, I conceived it to be perfectly relevant to prove that atheism was encouraged by the old government and not by the new—One event, however, I will state, and in that I will be as tough as the Bishop. This event occurred in

* His Lordship was correctly right that he was not disorderly; but surely the Bishop was not only defensible, but laudable on a still stronger ground than a mere matter of form. In times like the present it is highly necessary to watch over every expression, tending by its effect to lessen the reverence for religion, the main prop of all subordination and order, in every civilized country; and the higher the assembly in which the expression escapes, the more is it to be guarded against. The feelings of the House on the occasion best spoke the impression of a tale, shocking to a Christian auditory, even though avowedly told with a view to prove that the atheism and the moral depravity of the nobles and higher orders in France, during the existence of the monarchy, had paved the way to that dreadful scene in daily representation, which every Englishman is almost compelled to look at, but turns from with the utmost horror and detestation.

the Jacobin club, in which one member having declared, that he believed in God, there was great applause, and all the members rose up at once and made a similar declaration.

"A few words I wish to say with respect to the conduct of this country to neutral powers. To one (Naples) England says, You may withdraw from your neutrality, and receive still the protection of the allied powers: While to another she says, You shall not secede from the combination!

"My Lords, I have trespassed on your time too long—I therefore shall conclude, by moving,

'That an humble Address be presented to his Majesty, humbly to represent to his Majesty, that the French nation has expressly recognized this sacred principle, 'That no country possesses the right to interfere with another independent nation'; to state to his Majesty, that in the 118th and 119th articles of the Constitution, they have declared, that the French people is the friend and natural ally of every free people, and that it does not interfere in the government of other nations—humbly therefore to beseech his Majesty, in his equity and justice, to ACKNOWLEDGE THE FRENCH REPUBLIC, and thereby lay the foundation of a speedy reconciliation and a permanent peace.'

"My Lords, do the thing that is right and just, and leave the rest to God."

The Earl of Abingdon said, that if the noble Lord's motion had been, that the present republican anarchy of France was the best and fittest government for the blood-thirsty robbers and impious murderers of that country, and that we, acknowledging this, should bind ourselves to keep them in that state, as the one best adapted for such a race of monsters, and not suffer them to have a monarchical, or any better form of government whatever, he would, with heart-felt pleasure and satisfaction, second the noble Lord's motion; but the motion being what it was, in his opinion, the best argument against it was that which it had already received, viz. a good loud horse-laugh!

Lord Darnley said, he had wished to have stated his sentiments on the present crisis of affairs; when the Address to his Majesty, on his most gracious speech from the Throne, was moved and under consideration; but as the time of the House had been occupied by hearing other Lords deliver their opinions in support of the Address, with more abilities and more eloquence than he could pretend to, he had forbore offering himself to their Lordships attention, as when he had an opportunity of doing so, he perceived the House to be too much exhausted and fatigued to listen to any arguments which he might have

wished to state. He would content himself on the present occasion with making a few observations both relative to the motion of the noble Earl made that day, and to the general topic respecting the prosecution of the war. His Lordship then, in strong and expressive terms, assigned his reasons for concurring, as he had done by his vote, in the Address to his Majesty presented the preceding day. He maintained that it was impossible for the King's ministers to attempt a negotiation at present, without fullying the national honour, and violating that good faith to her allies that had ever characterized Great Britain. He said, he could not but condemn the motion of the noble Earl; he should shudder, if he supposed the ministry of this country would ever treat with those, whose design it was to destroy the laws, the liberty, the happiness of every country, and the Christian religion. He agreed with the noble Duke (Portland) that the war was defensive; he gloried in seeing the noble Duke adding lustre to his numerous amiable private virtues, by this support to ministry, at present so material for the preservation of the country. The noble Earl, he observed, had told their Lordships, that the French had wonderful resources; he agreed with the noble Earl; but so much the greater their resources, so much the greater danger we must expect from their honourable intentions. He said he loved his country; no man wished for peace more; but to treat with the blood-thirsty, would be imprudent. So far did he differ with the noble Earl on the subject, and so convinced was he of the inexpediency and impolicy of the motion, that if the French were desirous to make peace with Great Britain at the present, to restore all their acquisitions, and to put his Majesty in possession of their territories in the East, and their islands in the West Indies, as the price of peace, the minister who should propose either to treat for or accept it, would deserve to lose his head.

The Earl of Warwick gave his opinion strongly in favour of a vigorous prosecution of the war, and expressed some degree of surprise that a noble Earl, with whose amiable character in private life, and with whose many personal virtues he was so well acquainted, could have prevailed upon himself to bring forward so extraordinary a motion at such a momentous crisis, when every appearance of unanimity and cordial attachment to what he considered not merely as the cause of Great Britain, but of all Europe, was so evidently and so indispensably necessary. His Lordship complimented ministers on the conduct they had pursued, thought it entitled them to the praise of their fellow-subjects, and could not help repeating his astonishment that a noble Earl of such known purity of mind, should have acted the part the noble Earl had done that day. The French,

French, his Lordship observed, did not deserve to be acknowledged as republicans, because their conduct had shewn that they had no pretensions to that character. In their mad career, there was no law, human or divine, that had not been openly violated; and they must have convinced every rational man that a peace with them could neither be permanent nor secure. The great mass of people in this country had shewn themselves steadily attached to the Constitution, and loyal to their King; and the army and navy had displayed the same steadiness to resist every effort to seduce them from their duty. Under these circumstances, all the vigour of the country should be called into action; and little doubt, he thought, would be entertained of our being ultimately successful.

The question was put on Earl Stanhope's motion, and negatived without a division.

Adjourned to Tuesday, Jan. 29.

HOUSE OF COMMONS.

MONDAY, *January 27.*

Several private petitions were presented, and ordered to lie on the table.

Mr. Hussy presented a petition from the Woolcombers of the City of New Sarum; it stated, that, in consequence of the introduction of a machine, by which the work of thirty men could be performed by one, many Woolcombers were reduced to great distress from want of employment in their business, and prayed relief. Read, and ordered to lie on the table.

Mr. Baring presented a similar petition from the Woolcombers of the City of Exeter.

Mr. Rose presented a petition from the Inhabitants of the Borough of Seaforth, complaining of the undue election of a Member to serve in Parliament for the said Borough; and on his motion, the matter of the petition was appointed to be taken into consideration on Monday the 10th of March.

MR. HASTINGS'S TRIAL.

Mr. Burke moved the same list of Managers as had been appointed heretofore for conducting the Impeachment; and also that *Mr. Speaker* do attend in his place, at ten o'clock on the morning of Thursday, the 13th of February, to receive a message from the Lords, and proceed to Westminster Hall, whatever may be the number of Members present; which motions were agreed to.

Mr.

Mr. Wigley gave notice, that on the same day he would move that a message be sent to the Lords, requesting them to proceed *de die in diem*, till the trial should be concluded.

AMERICAN INTERCOURSE.

On the motion of *Mr. Dudley Rider*, the American Inter-
course Acts were appointed to be taken into consideration on
Wednesday the 29th.

SUPPLY.

Mr. Hobart brought up the Report of the Committee of
Supply, which was read, and agreed to *nem. con.*

The Chancellor of the Exchequer moved, "That an humble
Address be presented to his Majesty, praying that he would
direct the proper officers to lay before the House, Accounts of
the Ordinaries and Extraordinaries of the Navy and Army for
the present year." Agreed to, and such Members as were of
the Privy Council desired to present the same.

CONDUCT OF THE COURTS OF CRIMINAL LAW OF SCOTLAND.

Mr. Adam observed, that it was necessary for him to say a
few words on a subject, of which he had given notice in the
last session of Parliament, as he felt it necessary to make some
alteration in the form of the motion which he had intended to
make. The House would recollect, that in the last session,
near the conclusion of it, he gave notice that, early in this,
he should bring forward a motion relative to the criminal law
of Scotland, under a committee of the whole House, on courts
of justice, or under some such form, for the purpose of assimila-
ting the criminal law of Scotland to the criminal law of
England. He had been induced to do so in the last session
from the decision in the House of Lords, then recent, that no
appeal shall be had to them from the decision of the Court of
Justiciary in criminal cases. Since that period certain trials
in Scotland had taken place, that made the subject still more
necessary to be discussed, and made it advisable, as he thought,
for him to bring the question forward in a different form from
that in which he intended originally to introduce it: At that
time his intention was to move for leave to bring in one bill to
give an appeal from the criminal courts of Scotland to the
House of Lords, in like manner as at this time obtained from
the different courts in England, and to put the criminal laws,
with regard to appeal, upon the same footing in both coun-
tries. He meant also to provide in the same bill, that crimes
and misdemeanours affecting the state should be put on the
same footing in both countries; that a grand jury should be
had in Scotland in the same cases as in England; to put the
power

power of the Lord Advocate in Scotland on the same footing as the office of the Attorney General of England; and such as had for their object the introduction of petit juries in the inferior courts of criminal jurisdiction, and the regulation of the punishments for contempt, and of the method in which witnesses were examined in both countries.

All of these things he intended to have been included in one bill; but the late judgments of the Court of Justiciary in Scotland had made it necessary for him in some measure to alter his plan of proceeding. He would state the nature of the motion which at present he intended to bring forward. He should bring forward two distinct bills: The one relative to the question of appeal from the decision of the Court of Justiciary in Scotland; the other for assimilating the Criminal Law of the two countries. For that purpose, he should move for a Committee of the whole House, in the nature of a Committee on Courts of Justice. But though he should bring the subject forward in that form; yet, in the course of agitating the bill, it was by no means improbable, if nobody else should do it, that he might move the House, That it might be an instruction to the Committee to insert a clause, giving the right of appeal expressly in all criminal cases that have happened in the courts of Scotland in the year 1793, in order that it might be determined whether the late decisions of that court, in some recent cases, were consistent with law or not; and next, if the unfortunate persons who are now suffering under the judgment of the Court of Justiciary thought themselves aggrieved, such, for instance, as Mr. Muir and Mr. Palmer, and others, it would give them an opportunity, if they should think fit, to bring the matter upon which the whole of their case turned before the Lords, for a full discussion and final determination. This appeared to him highly necessary after what had happened; for most unquestionably the public mind was agitated upon this subject, and therefore it ought to be discussed; and there would be no mode, in his opinion, so proper as that which he had presumed to propose; and therefore it was, that in giving notice, he entered so fully into the subject, as well also as that he might not be accused, when the discussion came on, of going beyond the bill of which he had already given notice. Having stated the nature of the instruction he should move to be given to the Committee, he said, he was then ready to make the motion of leave to bring in the bill, or, if the Honourable Gentlemen on the other side of the House thought proper, he would give notice, &c. of the day on which the motion should be made, and the subject might be debated or the bill brought in, and the discussion might

might be reserved for the time of his moving for an instruction to the Committee of the House to admit the clause for appeal, in all criminal cases determined in the Courts of Scotland in the year 1793. The substance of the first motion was, that "leave be given to bring in a bill to give appeal in criminal cases from the Courts of Scotland to the House of Lords, in matter of law."

Mr. Secretary Dundas admitted, that the matter and proposition had been clearly and candidly stated by the Learned and Honourable Gentleman. He said he should not argue the matter then, as he understood a future time would be appointed for the discussion of it. It had been observed that a certain question, arising out of a late judgment given in the northern part of this kingdom, had agitated the public mind; whenever that question should be brought forward, he should be ready to take a part in the discussion. With regard to the sentences passed by the High Court of Justiciary, he was ready then or at any time to maintain their legality, and would throw such light upon the subject, as should render that point as evident as possible to the House. But he did not choose to suffer this stage of the business to pass without saying that the sentences alluded to were completely founded in law, and that every information to the contrary was entirely without foundation.

Mr. Fox said, he knew not what light the Right Hon. Gentleman might be able to throw on the subject, but he should have imagined that there could not be much objection to the mode of proceeding proposed by his Hon. Friend. The bringing in the bill was to bring the subject forward for discussion. The clauses in it, or the whole tenour of the bill, might or might not, upon due investigation, be deemed to be proper. The bill itself must stand or fall on its own merits. The sentence of the Court of Justiciary might or might not be legal, might be judicious or otherwise. These were questions which were independent of the legality of the sentence upon which the debate upon the motion for special instruction to the Committee might arise, or might be intended to be moved for, and would come properly and regularly before the House to be examined. It was possible, for instance, that those who might think these judgments perfectly legal, might yet think the subject proper for a bill. There might be those who thought, that although the criminal law is not, yet it ought to be, the same in the northern as in the southern part of the kingdom. Whatever might be the legality of these judgments, of this he was sure, that those who had any respect for the law of England, and wished to see

it respected by the public, could not wish to argue these points separately, and without reference to each other.

The Chancellor of the Exchequer said, he differed from the Right Hon. Gentleman upon the latter part of his observation; for he thought the distinct points to which he alluded should be argued separately, as those could join in any part of the bill for altering the law, who had no doubt of the legality of the late judgments, if the alteration were not to proceed upon the ground of an admission of such illegality. He wished to meet the discussion upon the nature of the proposed alteration of the law, and the question of legality of the judgments alluded to, severally upon their distinct and separate merits.

Mr. Sheridan said, he would decline entering into any discussion of the question of legality at present; that question might perhaps turn out to be unnecessary, for possibly if the law was found to be so now, they might be able to prove that the law ought not any longer to continue so. He could not, however, help expressing a hope that the unfortunate gentlemen who were now suffering the judgment (such as it was) of the Court of Scotland, would not be put into a situation to deprive them of the benefit of the disposition of the House, if it should happen to turn out in favour of them.

Mr. Secretary Dundas said, the House should entertain no such confidence against the regular course of law.

Mr. Adam, in explanation of what he intended to move, briefly stated, that he had endeavoured to make it clearly understood, that his intention was, upon bringing in the bill for an Appeal, not to discuss the question at all respecting the late trials; but to confine himself strictly to the general question of the propriety or impropriety of giving an Appeal. The proper time for discussing the trials alluded to, would, in his opinion, be when the instruction to the Committee was moved, to give the bill a retrospect to the year 1793.

Mr. Sheridan said, there ought to be nothing done by surprise on either side in this business. The only proper way would be, for his Honourable Friend, after the second reading of the bill, and before the commitment, to move for the instruction to the Committee, than which nothing could be more regular.

Mr. Anstruther objected to this mode of proceeding; whatever his Honourable Friend intended to move, he would do it at his own option, he would do it to-day or to-morrow, or any other time. If the sentence were such as ought not to have been, and could not legally be passed, they should move
whatever

whatever they pleased upon it, and when they pleased; but a notice of this kind ought not to have produced so many observations. He was glad, however, that the whole matter was to be debated in the House of Commons; as it was more regular than any other mode of proceeding would be. Nothing, in his opinion, could be more clear than the legality of the sentences in question. But some persons, upon what ground he could not tell, had scattered abroad whispers, and had alleged many things that, from the shape they appeared in, would not admit of combat, and could not fairly be discussed. He had no doubt but that the whole conduct of the Court of Justiciary would appear to be completely legal.

Mr. Fox said, he did not understand what the learned Gentleman meant by whispers; the subject had been loudly spoken of, and he knew nothing of any whispers upon that or any other subject, connected with his duty as a member of that House. He did not pretend to be infallible, but he felt no difficulty in saying, that, as far as he had means of information and of knowledge, he believed the sentences alluded to, to be illegal; but he was not quite sure he was right. But he had little difficulty in saying, that *prima facie* these sentences were illegal, unjust, and severe. He had still less difficulty in saying, that if the Court of Justiciary in Scotland had the discretion by law to give the judgment they had given, and if it was even prudent to pronounce it at the time it was pronounced (though by the way he did not think any thing like it), yet in his mind, there could be no respect for the laws of England in those who had the care of the executive government, if they put such judgment into execution. He knew not what to think of the confidence of those who chose to execute a sentence, upon the legality of which there was a doubt, upon the severity of which there possibly existed but one opinion, and all this, by way of anticipation of the decision of Parliament, for that would be the effect of putting those judgments in force, before the determination of Parliament could be had. He had too much reliance on the candour of the Right Hon. Gentleman (Mr. Dundas), to whose care the executive part of this proceeding chiefly belonged; he had too high an opinion of his good sense, his knowledge of propriety, his sense of humanity, and his love of justice, to suppose that he would place these unhappy persons in such a situation that the determination of Parliament might be of no use to them.

The Chancellor of the Exchequer pointed out the only regular and proper mode of obtaining a suspension of any sentence of a criminal court of justice, viz. by humble petition

to his Majesty as the fountain-head of mercy, stating the grounds of such prayer in such terms as the nature of the petitioner's case should render most likely to prove impressive. He contended for the legality of the judgments of the Court of Justiciary, and urged the propriety of his Majesty's ministers doing their duty and putting the judgments in force, and not yielding to any suggestions of illegality or impropriety—until something better than bare assertion was brought against them. He could not therefore promise one hour's delay of the execution of the sentence, much less for a time unlimited, but the Hon. and Learned Gentleman had named no day for bringing in his intended bill.

Mr. Taylor said he was in Edinburgh the day after the sentence of transportation had been pronounced against *Mr. Muir*; that he conversed with several Gentlemen acquainted with the laws of that country, who informed him that the sentence was illegal; the authority of one of them (*Mr. H. Erskine*) he would depend upon as soon as that of any Gentleman on the other side of the House, who had declared in such strong terms the sentence to be legal; and of his opinion *Mr. Taylor* declared himself to be.

The SPEAKER begged leave to observe, that there was no question before them, and that he had permitted the conversation to proceed too far already on a mere notice.

Mr. Adam then gave notice of his motion for leave to bring in this Bill on Tuesday se'nnight.

MESSAGE FROM THE KING.

Mr. Secretary Dundas brought up a message from his Majesty, informing the House that a corps of Hessian troops having been employed in his service, and having been brought to the coast off the Isle of Wight, to prevent the sickness of these men on board the transports, his Majesty had given orders, that they should be quartered in the Isle of Wight and its vicinity.

An Address of the Thanks of the House was upon the motion of *Mr. Secretary Dundas*, voted to his Majesty for his gracious communication.

Mr. Sheridan asked if this body of Hessian troops was that under the command of Lord Moira?

He was told they were, by the Chancellor of the Exchequer.

JOBS.

Mr. Sheridan gave notice, that he should on Wednesday move for certain Papers relative to the expences incurred by the creation of a variety of New Offices, which the people without doors indecently called *Jobs*.

The

The **SPEAKER** observed, that no public business could properly come forward on Wednesday, but what concerned the Supply.

Mr. Sheridan said, he did not conceive that the Papers he should move for could be refused.

The Chancellor of the Exchequer wished to know what the Papers were to which he alluded; for from the manner in which the Hon. Gentleman asked for them, he did not know what they were, or whether he ought to resist the motion or not.

Mr. Sheridan said he had not quite made up his mind as to all the Papers he should call for.

The Chancellor of the Exchequer observed, that the Hon. Member had applied an epithet, but did not know to what.

Mr. Sheridan said, he was sorry to see the Right Hon. Gentleman so fore upon the occasion: The places he alluded to were Counsel to the Board of Control, which he had no doubt but the Right Hon. Gentleman would convince the House and the Public was necessary, and no *Job*; the appointment on the Staff at Toulon, and on the Staff for the projected expedition under Lord Moira; the accounts of the expences incurred by these appointments were what he called for, which he could not think would be refused, as they would be all made to appear, not only useful, but necessary.

After some further conversation the Motion was fixed for the next day.

Adjourned.

HOUSE OF LORDS.

TUESDAY, *January 28.*

The business relative to the hearing of Appeals was settled, and the Cause-days fixed.

SENTENCE OF THE COURT OF JUSTICIARY, IN THE CASES OF MR. MUIR, MR. PALMER, &c.

Earl Stanhope with great seriousness observed, that whenever any matter which respected the judicature of Great Britain and the due administration of justice became the subject of public observation and comment, and whenever it was thought the laws had not been justly administered, he deemed it his duty, as a member of the legislature, to bring that subject under the consideration of their Lordships. He should, therefore, without any further preface, move, "That all the Lords be summoned for Friday next."

The

The Lord Chancellor said, in conformity to the usual and regular mode of proceeding, it would be proper for the noble Earl to declare what was the subject of his intended motion, as without that intimation their Lordships would be *particularly* ordered to assemble for an *indefinite purpose*.

Earl Stanhope replied, that in order to comply with the learned Lord's idea, he would state, that what he had to submit to the consideration of the House, was a *Motion* on the subject of the sentence of transportation, lately passed on Messrs. Muir and Palmer, whose case he meant to bring before their Lordships; and if the learned Lord did not think this explanation sufficient, he was then ready to enter into the merits of his intended motion.

Lord Lauderdale pressed his noble Friend not to pursue this motion, as it might tend to injure the progress and effect of a proceeding already instituted with great solemnity in another House, with a view to the same object. He begged his noble Friend, at least, to postpone it, until the fate of what was now depending in another House was determined.

Earl Stanhope said, his motion would not interfere with what was going forward elsewhere. It went merely to procure the suspension of the sentence of transportation of those two Gentlemen until their case had been argued before the House, which his Lordship considered as the proper place for the discussion of all matters relating to the criminal judicature of the kingdom.

The Lord Chancellor put the question, that the Lords be summoned for Friday, which was carried, and then their Lordships adjourned to next day.

HOUSE OF COMMONS.

TUESDAY, *January 28.*

The Navy, Army, Ordnance, and other estimates ordered, were laid before the House.

Mr. Grey observed that the estimates of the extraordinaries of the army were of considerable importance, and that it would be proper to have them printed, as was usually done at the latter part of the American war, for that they could not well be perused by members at the table. On the suggestion of the Secretary at War, he agreed to postpone his motion upon that subject till the next day.

The House, in a Committee, passed a resolution on the American Intercourse Bill, received the report, and gave leave to bring in a bill for continuing the law now in force, for regulating

gulating the trade between his Majesty's subjects, and the inhabitants of the United States of America.

Mr. Rose moved for an account of the money granted to his Majesty by loan on Exchequer bills for the service of the year 1793.—Ordered.

SLAVE TRADE.

Mr. Wilberforce gave notice, that on Friday the 7th of February next, he would move for leave to bring in a bill for abolishing the trade carried on from the coast of Africa to British settlements in the West Indies.

HESSIAN TROOPS.

Mr. Grey said, what he was about to mention might possibly have been deemed more regularly introduced, if he had stated it on the day that his Majesty's message was brought up; but he considered it to be a subject of the utmost importance, and therefore he conceived, the agitation of it could never be deemed irregular. What he alluded to was the introduction of foreign troops into Great Britain. He desired to call on the minister for an explanation of the landing of the Hessian troops, of which the House had an account by a recent message from the King. He knew there was a precedent, or something like one, in the year 1784, but it did not amount to the circumstances of the present case, and there ought to be some reason assigned for this step. On the close of the last war, in 1784, a body of Hessians were landed in this country, in their way from America to the continent. But then the necessity for their landing arose from the impossibility of their proceeding directly home, on account of the rivers along which they were to pass having been frozen. At present, he could not but observe, that neither the amount of the numbers of Hessians so imported, the object of their destination, nor the time it was expected during which they were to remain our guests, have been specified; points upon which he had no doubt, explanation would render universal satisfaction.

The Chancellor of the Exchequer agreed that the precedent in the year 1784 did not amount in circumstances to the present case—that being a time of profound peace, and this a time of war. If the Hon. Gentleman had any specific motion to make upon the subject, he would be so good as to give notice of it. As far as he could do so consistently with his duty, he had, however, no disinclination to explain, for the satisfaction of the House upon this subject. It was stated in his Majesty's message to the House that they were stationed, where they now are, for the purposes of convenience to the troops; what were
to

to be their military operations for the support of his Majesty's government hereafter, was not fit matter for discussion in that place. The place where they now were, was thought by his Majesty's servants, the most convenient for their rendezvous. How long they should stay there was not fit for him to state, for the reason he had already assigned. With regard to the number of them, that he could not state, for no regular account had as yet been made out, and they were not all arrived. But he must repeat, that the precedent, as alluded to, in time of profound peace, could not be fairly applied to the present case.

Mr. Fox observed, that considerable difficulty and embarrassment would be thrown in the way of the business of the House, if, when a member desired an explanation of any particular thing, he was called on to give specific notice of a specific motion; and then, when a specific motion should be made, he was to be told that such a motion was unnecessary, for that if he had only asked for an explanation, he might have had it without a motion. Such a practice was growing too much into use; it was a very improper one, neither very respectful for the dignity of the House, nor very conducive to the convenience of it. With respect to the present business, some might be of opinion that the King might bring into this country a foreign force to any amount, without the previous and express consent of Parliament, and that it was necessary only for his Majesty to send a subsequent message to that House—he owned for his part that he wanted information upon that subject. He thought, from the nature of the message the preceding day, something like a doubt was entertained of that power, and that his Majesty's ministers informed the House in consequence of that doubt. If so, the House ought to examine the subject a little more closely; for there was nothing that would justify alarm more than the extensive exercise of such a prerogative. On the former occasion a bill for the special purpose had been thought necessary; and that this was a time of war, did not in his opinion set aside the necessity of an explanation.

The Chancellor of the Exchequer said in reply, that whether the measure was right or wrong, he was not now to contend; as that point would probably be hereafter discussed. At present it was enough, if what had been done was to be found in former proceedings. Then, as now, notification of the fact had been given to the House, and an immediate vote of thanks to his Majesty for the communication had been made. With respect to the bill brought in on the former occasion, that
was

was merely for the purpose of billeting the men, and would not have been adopted if that measure had not been necessary. Nor would such a precedent be followed on the present, unless a similar necessity should render it expedient,

ACCOUNTS OF SALARIES.

Mr. Sheridan rose, in pursuance of a notice he gave yesterday, and in compliance with the impatience which the Chancellor of the Exchequer manifested, or seemed to manifest, to make his motion; upon which, he apprehended there could be no discussion, since from the temper of the Right Honourable Gentleman, such as it appeared when the notice was given, he could scarcely avoid agreeing to what would be moved that day. For, as it was the first duty of that House to inquire into the application of the public money, so it was the interest of every minister, supposing him to be fair in his conduct, and clear in his accounts, to countenance the inquiry; and at no time in the history of this country was inquiry, in his opinion, more necessary than at present. We had heard in the Speech of the Sovereign, information of the most important nature, information deeply interesting to the people of Great Britain. Very soon the Chancellor of the Exchequer would have to bring forward his budget: That would be an awful and a trying day; He feared it would then appear that the surplus of revenue which had been so much boasted of, and the application of it for the reduction of our debt, whatever be the merit of the plan, would all and at once be swept away, and with it would vanish that pleasing prospect of alleviating the hardships of the people by a reduction of the taxes. All that cheering hope, too, of reducing our peace establishment, as well as the reduction of our debt, and the alleviation of our burdens, which had year after year been held out to us, and which year after year we had waited for in vain, would vanish: For if peace was concluded to-morrow, a vast number of years must pass away before we could even hope to be in the same situation as at the commencement of the war. It was, therefore, the right of the people to know how their money was expended, and it was the first duty of that House to take care that the public purse was purely and properly administered, that not one sixpence should be idly squandered by the minister, nor any thing done that would diminish by one morsel, the meal of the labourer and distressed family, or that any thing should happen, that tended to wring from the poor any part of their pittance. The preceding day he had made use of the word *job* as applicable to some part of the minister's conduct,

conduct, with respect to appointments to certain offices under Government since the commencement of the war: The minister, doubtless from his simplicity and innocence, seemed not to comprehend what a job was. It was certainly not a very elegant, although it was a very intelligible word; but if the Right Hon. Gentleman wanted an explanation of it, he would give one—Whenever any emolument, profit, salary, honour, or favour, of any kind whatever, was conferred on any person, be he who he may, or his character what it might, unless he had gone through a public service, or necessary public duty, adequate to what he receives, that, Mr. Sheridan said, is a *job*: If, from any motive of private friendship, personal attachment, or with any other view than the interest of the public, any individual is appointed to an office in the public service, when any other man is known to be fitter for the employment, that is a *job*; and that, among other things, made him present this motion to the House. They should not altogether refer him to the army extraordinaries, for although there was a good deal of information to be collected from them, yet there was not enough. It was painful to him to be compelled to name gentlemen for whom he had a personal respect, but his duty commanded him to do so: The situation of Sir Gilbert Elliot at Toulon, for instance, 1500*l.* a year—of John Erskine, Esq. 1300*l.*—and the cases of many others. Perhaps the Chancellor of the Exchequer would be able to prove that all this was well earned, and that the public ought to pay it, but that was matter for discussion on a future day. After a few more observations Mr. Sheridan read his motions, the substance of which was as follows:

“An account of all the expences incurred by the employment of counsel, &c. relative to the affairs of India, in assisting and advising the Board of Control, from the date of the board down to the present time.”

“An account of the salary now enjoyed by — Anstruther, Esq. as counsel for the board.”

“An account of the half pay, or pension, or emolument in lieu of half pay, to John Erskine, Esq. for his services at Toulon, &c.”

“An account, in the same way, to Joseph Darnford, Esq. for his intended expedition on the coast of France.”

“An account of the salary, emolument, half pay, &c. to Sir Gilbert Elliot, for his services at Toulon, &c.”

“An account of the expence in consequence of the mission of Lord Yarmouth to the King of Prussia, &c.”

“An account of the salary of Lord Malmesbury, for his late mission, &c.”

Mr.

Mr. Sheridan said, he had a few more, which he should be obliged to add to this list, but he could not move them just then.

Mr. Fox asked the Chancellor of the Exchequer who succeeded Lord Auckland as minister at the Hague?

The Chancellor of the Exchequer said, there had been no ambassador there since Lord Auckland; *Mr. Elliot* was minister there at present: He believed there was no other paid.

The question on *Mr. Sheridan's* first motion was then put and carried.

On the putting of the second, *Mr. Anstruther* said he had no salary from the Board of Control; if he had, he should have been happy to second the motion:

Mr. Sheridan said, he did not doubt the sincerity of the learned gentleman, when he said he should be *happy* to second a motion upon such condition; but his only object was to come at the fact, if existing, and the price it cost the country, whether in salary or otherwise.

The motion was withdrawn.

The next motion was for "An account of the pension granted to *Mr. Hayes* in lieu of the place of Welsh judge, which he had resigned." Ordered.

His next was "An account of pensions or half pay granted to *Mr. Erskine*, or any other gentleman employed in the commissional department at Toulon."

The Chancellor of the Exchequer said, there was nothing novel in these appointments. It had always been the practice for commissaries to have commissions granted them at the War Office, the natural consequence of which was, that they were entitled to half pay. Perhaps it would answer the Hon. Member's intention as well to have made this motion general, and extend it to all appointments of a similar nature.

Mr. Sheridan had no objection to the motion being so amended; his only reason for selecting was, that he conceived he would be acting right, in picking out such as he conceived came under the term *job*, notwithstanding the offence, that word gave to the chaste ears of the immaculate minister. The motion so amended was agreed to.

Mr. Sheridan's motion for "The amount of the salaries, &c. granted to *Sir Gilbert Elliot*, as commissioner at Toulon," was agreed to.

He next moved for "The amount of the expences attending the mission of the Earl of Yarmouth to the King of Prussia."

Lord Yarmouth declared his readiness, that every thing in which he was implicated should meet the public eye fairly. In the present instance, he had to state, that he had neither demanded nor received any salary or gratuity whatever for the business he had been employed in; the only charge he had made was for the actual extra-expences he had been put to in following the King of Prussia. So that, so far from a charge, he had been a saving to the country of that money which any other person in his situation must have cost. The whole of his expences did not amount to more than a few hundred pounds. He was therefore happy at this motion, as it would serve to dissipate idle rumours, both with respect to him, and also to his brother, who, it was said, had received 500*l.* for each time he came backwards and forwards to him.

Mr. Burke approved the principle of jealousy watching over the expenditure of the public money; but that principle he thought might be carried too far, or originate in improper or illiberal motives, motives of personality or ill-will.

Mr. Fox declared it to be his opinion, that if a single guinea was spent in these missions, it was more than they were worth; as he was an utter enemy to all duplication of embassy. With respect to the conduct of the noble Lord himself, there could be no imputation of blame on him; if he were employed, he certainly had a right to remuneration for his services; it was not against the noble Lord, but against the minister that sent him, that misconduct was charged.

Mr. Burke declared he saw no difference between the *jobber* and the *jobbee*.

The motion was agreed to.

The next paper moved for was "An account of the expences attending the mission of Lord Malmesbury to the court of Berlin."

Mr. Sheridan here took the opportunity of declaring, that he himself did not believe Lord Yarmouth had accepted any salary for his services; but that he had not omitted it, because it might be objected to him, that he had left out those parts of the public conduct that merited to meet the public eye, and only held up the bad.

The Chancellor of the Exchequer observed, that the Hon. Member contradicted his former assertions. He had declared that the general ground of his motions was suspicion, and yet he now said that he did not believe there was any foundation for his motion respecting Lord Yarmouth.

Mr. Sheridan begged to know whether it might not enter into the sapient head of a minister, that he had coupled that

with his other motions, for the sake of contrast between good and evil.

The Chancellor of the Exchequer said, Will the Hon. Gentleman now persevere in his assertion? and if he does, can he imagine that any member in this House will credit him*?

Mr. Sheridan rose in great heat to reply—but was prevented by *Mr. Fox*, who declared that he, for one, believed the assertion, because he knew the fact. But surely it was not too much to say that his Hon. Friend was as amply entitled to credit for his assertions as the Right Hon. Gentleman, or any member of that House. He did not agree with the Right Hon. Gentleman (*Mr. Burke*), who had asserted, that his Hon. Friend had been actuated by any motives of ill-will or personality in his present motion: There could be no ill-will in inquiring into the expenditure of the public money. He did not believe that the noble Lord had received any emolument for his embassy, yet it was his duty to inquire what were the expences of his mission. And it was necessary that his Hon. Friend should mention names, in order that he might not be accused of partiality, and that the political character of those who had not received improper emoluments, might appear brighter by being contrasted with that of those who had. *Mr. Fox* concluded by remarking, that if the conduct of the Right Hon. Gentleman had been irreproachable, he ought rather to thank his Hon. Friend for bringing it to the test.

Mr. Sheridan contended that his knowledge of the fact was apparent from the wording of that particular motion, in which he had used the term *expence*, as applied to Lord Yarmouth; whereas he had applied the term *salary* to all the other appointments. He thanked his Hon. Friend for having prevented his answering the insinuation thrown out against him in the moment of heat. All he should say at present was, if he repeated his assertion, whether any member of that House would doubt or not, he could not be certain, but he

* This expression, which possibly the *Chancellor of the Exchequer* did not himself perceive the force of, or did not mean to apply as a personal affront, was near occasioning as much disorder in the House, as the late Earl of Guildford's reply (when Premier) to Colonel Barré, after the Colonel had made rather a gross attack on the noble Lord, at a late hour, and after a warm debate, in which the irritability of a man's feelings, if he had possessed any, must have been provoked by the asperities levelled at him in the heat of contest: It was the only occasion that we recollect of Lord North's suffering himself to be put off his guard.

believed it was in that House alone that the Right Hon. Gentleman would venture to tell him so.

Mr. Yorke interrupted this altercation, by observing how hard it was for four hundred gentlemen, sent up from the country to mind the business of their constituents, to be obliged to listen to mere personal altercation, and indeed absolute nonsense, when considered in comparison with the more important business of the nation.

The motion passed.

Mr. Sheridan added one more motion:

“That there be laid before the House an account of the expenditures of the sums of 5000*l.* and 11,000*l.* granted last sessions of Parliament to defray the expences of the India Board of Control.”

Ordered.—Adjourned.

HOUSE OF LORDS.

WEDNESDAY, *January 29.*

A message was delivered from his Majesty similar to that sent to the Commons, on the subject of the landing of the Hessian troops in the Isle of Wight.

The Earl of Lauderdale considered this as an unconstitutional measure. He asked the noble Secretary of State how long they were to remain, what was their number, and whether they were to be increased?

Lord Grenville said, he had it not in command from his Majesty to make any other communication, than that which was conveyed in the message.

The Earl of Lauderdale remained in his first opinion, and maintained that their Lordships ought to have more information on the subject.

The House, on motion, then passed a vote for an Address to thank his Majesty for his gracious communication.—Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, *January 29.*

Mr. Montgomery moved for leave to bring in a bill for the purpose of increasing the capital of the governor and company of the bank of Scotland.—Granted, and *Mr. Montgomery* and *Mr. Dundas* ordered to prepare and bring in the same.

Several accounts of exchequer bills were presented, and ordered to lie upon the table.

The

The American Intercourse bill was read a first time, and ordered to be read a second time.

The Secretary at War laid before the House an estimate of the charge of foreign troops in British pay.

SUPPLY.

The House having resolved itself into a committee of the whole House, the following resolution was read :

“ That it is the opinion of this committee, that eighty-five thousand men be granted to his Majesty for the sea-service, for the year 1794, including twelve thousand one hundred and fifteen marines.”

Mr. Fox rose not, he said, to oppose the resolution just proposed to the committee; for however they might differ in opinion on other topics, he believed it was generally agreed, that if we were to carry on the war at all, we should, under the present circumstances, carry it on with vigour, particularly the naval branch of it. It was perfectly proper to inquire in that House, into all the conduct of the war on our part; and particularly into the manner in which our naval force has been exerted. *Mr. Fox* said, he should refer to several facts as applicable to the subject then before the committee; some of which he might state very inaccurately perhaps, and if he did, he should be glad to be corrected, but many of them he feared were too true. On the motion for the Address of that House to his Majesty, very high language indeed had been used by a Right Honourable Gentleman (*Mr. Dundas*), whom he was sorry not to see in his place, in favour of the prodigious efforts of the naval service since the commencement of the present war; declaring that it had never been better exerted at any period than it had at this, most particularly with respect to convoys. The Right Honourable Gentleman had expressly stated, that of the several ships sailing under convoy, not one had been lost, and that our commerce had been wonderfully protected; many assertions, and round ones too, were made to that effect. He confessed he heard them, as he thought the House ought to hear such round assertions, with considerable jealousy and distrust. Since that time he had taken pains to inquire into particulars upon this subject, and he was sorry indeed to say, that the result of that inquiry had been very unfavourable, and that the facts he heard related, he feared, were but too well founded. The Baltic fleet came home in danger of being all taken by the enemy, and he believed that sixteen or seventeen sail of it were actually captured and carried to Norway; whether they were yet condemned or not, was another question; but this proved, as far

as an instance could prove, that the panegyric bestowed on our convoys, at the opening of the session, would, if the Right Honourable Gentleman had pleased, have admitted of an exception. The Quebec fleet sailed under the convoy of one ship only, and that, he was told, unfit for sea, or, to use a common expression upon such a subject, *not sea-worthy*: This ship, he understood, was called the *Severn*; it was true indeed there was another, a frigate, sent to wait for this fleet at the island of Bic, in the Gulph of St. Lawrence; but no intimation whatever had been given to the merchants concerning that order, so that the vessel might as well have remained at home. What happened to the *Severn*? she was separated from her convoy, as her commander had stated, in a gale of wind, and came home: And it was true that part of the fleet which was destined for Great Britain came home also, there happening at that time, by mere chance, to be nothing to oppose; still the risk was great, and entirely unwarrantable. With regard to the part destined for Spain and Portugal, he could say nothing; but it was very possible, that some or all of them might be taken, as no account whatever of their safety had yet arrived, to quiet the anxiety of the merchants on their account: He knew that it would be argued, that there was no possibility of preventing accidents of that kind; but he would leave it to the consideration of that House, if one single crazy vessel was a sufficient convoy for the Quebec fleet, bound as it was for such different ports of Europe? In these two cases the trade of the country had been injured, or put in imminent danger for want of sufficient protection. He next called the attention of the House to instances of the delay of convoys, to the great prejudice of the merchants and the nation at large. Was or was not this a fact: That a whole fleet was ready to set sail from the West Indies, on the 15th of May, or thereabouts, but did not, and could not for the want of convoy, till the 23d of August, or thereabouts? Here was a whole fleet freighted with most valuable merchandizes from the West Indies, delayed and kept in harbour for three months, for want of convoy: The loss upon such a delay must be very great, and the danger to which they must be exposed great also; since by coming from the West Indies in the month of August, they had to encounter great storms and other perils of the sea, incident to a voyage at that season, from that part of the globe. It was true they arrived, but it was with great difficulty; and the conduct which had been so much extolled with respect to convoy, was not so very meritorious as had been stated to the public by the Right Hon. Gentleman. Mr. Fox said, he stated this upon

inform-

information; but he had no difficulty in declaring, he believed it to be true. He would mention another fact, which was perhaps not quite so certain: The delay of the Mediterranean fleet, for want of convoy, had prevented some merchandize, intended for the fair of Salerno and other fairs in Italy, from arriving in time; in consequence of which there was a litigation now between the English and Italian merchants, about receiving the goods: What the result would be, it was impossible to tell; but the litigation would of course be expensive, and attended with disagreeable circumstances. He stated these facts to the House, in order that they might reflect a little upon the subject, and consider how lightly the matter had been treated on the opening of the session; and that they might pause a little and examine facts before they gave implicit credit to every general and round assertion: For it had been generally and roundly stated, by the Secretary of State, that none of the ships had been taken—there had been no delay for want of convoy; whereas there had been delay, and that not the delay of a single ship, but of a whole fleet. What excuse ministers could make for such endeavours to mislead the public, he could not tell; they could not plead ignorance of these things surely, when they were boasting of the protection which our convoys had given to our commerce in all parts of the globe. Another thing not very flattering to the pride of Englishmen, was the fact, that at the moment when the Right Hon. Gentleman was boasting of the vigilance and activity of administration in respect to convoys, six French frigates were masters of the Channel, and had been so for a considerable time; and had taken, as he had been informed, sixteen sail of very valuable prizes. He expressed some apprehension of the fate of the victualling fleet from Ireland; and said, there was a rumour of its being taken and carried into a port of the enemy. Besides this, a fleet destined for the West Indies had been detained for a considerable time, on account of a rumour that there was a French fleet out, too powerful for us to attack at that time, in that quarter. Such facts as these were sufficient, in his mind, to create some degree of doubt and jealousy, and to prevent the House from giving an implicit confidence to pompous declarations or bold assertions. He thought it right to state these things to the House, as grounds of the reason he had for his jealousy and distrust of the information which the House received of the minister on the opening of the session. The service of the navy we were told, on the whole conduct of it, had never been better performed than it had since the commencement of the war. But suppose the whole of the Right Hon. Gentleman's

assertion to have been unquestionably true; suppose the service had been as well performed in this war as it ever was—Would that be sufficient? Would the House be satisfied with that? Was it matter for praise, and a thing to be wondered at, that Great Britain, in the plenitude of its power, and with so much courage (for courage in a public contest was a part of power) should be equal in her navy to what she had manifested on many occasions? Was it a wonderful thing that after having bought, or obtained, or any thing else, a part of the French, and deprived them of the use of great part of their navy, we should afterwards be able to protect ourselves at sea? What a miserable compliment to Great Britain! that with Spain and Holland in alliance, she can protect herself by sea against France alone, and in that state do just as much as she did in the year 1781, when she contended alone with France, Spain, and Holland united! He had made some inquiry, as he had already told the committee, and he should make still more into this business; and he had some doubt whether it would not turn out, that in point of fact there were not more taken of our ships in the year 1781, when we contended with all those powers, than have been taken from us since the commencement of the present war. He thought it necessary on the present occasion to make these observations; not that he thought them arguments that went immediately to the question before the committee, but that they might possibly lay the foundation for a future investigation of the subject. He had stated facts, many of which he knew, and all of which he believed to be true, but he desired not to be understood to pledge himself for the truth of the whole of what he had stated, because, as must be obvious to the committee, some of his information might possibly be defective or erroneous. The public ought to be rightly informed upon the subject, and not to be put in a state of dismay and confusion hereafter, at finding they had been unhappily deceived by the speech of the Right Hon. Gentleman—a speech which in some parts of it he must say he did not think consistent with the belief of any well-informed man in the kingdom.

The Chancellor of the Exchequer allowed the matter brought forward by the Right Hon. Gentleman to be very fit for discussion. Upon some particular points which had been stated, he could not speak with the precision he could wish, because it did not fall immediately under what had much occupied his attention: These he should leave to the superior information of his Right Hon. Friend, whose absence was occasioned by sudden indisposition. What he should state must arise only from general recollection. There were two leading

leading points in the speech of his Right Hon. Friend, on the motion for the Address to his Majesty, viz. That no ships that had sailed with convoy had been captured; and that there were not any materially delayed for want of convoy. He had reason to believe his Right Hon. Friend did not make that assertion without much inquiry into facts, or without having reason to be believed in the truth of it; and he would further say, he had not heard any thing yet to contradict that statement. He himself would also make inquiry, and he should be ready to discuss the subject, and to see whether there was any matter for blame on any person. But that was another question—Whether any material neglect had been manifest, and whether any ships had been really taken in consequence of insufficient convoy, were the questions now for inquiry; not whether any ship or ships had been taken at any time or place, since the commencement of the war: That would be too extravagant a proposition to be debated, for we could not cover the seas with our fleets, nor be secure against the inclemency of the seasons, such as contrary winds and tempests. All these observations he applied to the Baltic fleet, but did not state whether any had been lost. He next took notice of what had been said respecting the Quebec fleet: It was admitted that it was not taken, nor any part of it, and therefore, so far, there was no instance of contradiction in what had fallen from his Right Hon. Friend. Whether the ship under whose convoy they came, was equal to the undertaking, he could not tell, but he should be inclined to believe it was, until something stronger than bare assertion was advanced to the contrary. If any of the Quebec fleet destined for foreign ports were taken, it must have been after they separated from their convoy; and they were very few. With regard to the fleet that was said to be waiting for its convoy, he did not recollect exactly any thing as to the date. He could not pledge himself to prove that no ships, literally speaking, had at all waited for a convoy, for he did not know enough upon that subject to speak with certainty what might have occurred. But he must observe, that nothing was easier than to state dates when some ships were ready to sail, when they did sail, and when the convoy was ready; but that was not enough, or any thing like it, to enable any man to conclude whether or not there was any negligence in providing the convoy; that would depend upon the request of merchants when they might be ready, when agree to sail—whether the winds were fair, and a thousand other circumstances, none of which appeared in the present case. With regard to the fleet for the Mediterranean, he recollected perfectly that the delay arose

on account of the necessity there was to make inquiry into the force of the enemy, and these were the principal points that had been mentioned by the Right Hon. Gentleman. With regard to the circumstance of there having been six French frigates six days in possession of the channel, he would not disguise the truth, but it was easily to be accounted for; but he had no hesitation in saying, that, the whole of the circumstances taken together, our success was beyond the most sanguine expectations, and beyond that of any other war. We could not undertake to make all our efforts uniformly successful, and be sure there never should be any part where the enemy might not for a time be our superior; and supposing the fact to be so, upon whom was blame to attach for it? When intelligence arrived that the French were in the channel, our fleet had returned to refit, after having been long at sea without seeing the enemy. And it was to be recollected, that the French, from the very nature of their situation, having abandoned all their foreign possessions, while we were protecting ours, could concentrate their force to any particular object, and change it when they pleased, and therefore this temporary superiority was not at all to be wondered at. We had at this time a greater force than the enemy, although they had the start of us so much at the commencement of the war. It was well known, that before we armed at all, the French had sixteen sail of the line in the Mediterranean; that since that time we had protected and safely brought home all our valuable East India fleet, and protected our West India trade, and with all the multiplicity of objects before us—with all our trade and territories to protect—with all the vicissitudes of seasons in a variety of climates—with all our exertions in the Mediterranean, where we had sent a large fleet, the efforts of which gave such general satisfaction—yet with all this we had fifty sail of the line. Considering all these things, this country had, in his opinion, great reason to triumph in the success of its maritime power, especially when we recollect the decisive blow we had given to the maritime power of France at Toulon, and that we had been able to block up the whole of the Mediterranean until that was effected. We had been out for a great length of time, and ready for action against their whole naval force. Did the enemy ever meet us?—Never. After being out for a long while, and looking for the enemy in vain, it became necessary to return, and then the enemy were able to collect their force, and concentrate it into one point, and have a temporary superiority. If the enemy would not engage with us, and we could not meet with them, the fault was not ours. As to the want of information,

formation, and the idea that from the publicity of some of the proceedings of France, it was easy to obtain knowledge of what they intended to do, that appeared to him to be founded on a very superficial mode of thinking. It was not that because they affected all the openness and candour of a democracy, that in fact they were one. The fact was directly the reverse; by the present system of government in France, there was as much capacity for secrecy, and they had as much power over every article of property, and over the actions and person of every individual, as ever was possessed, and more than ever was possessed by the most despotic monarch upon earth; and therefore he was not very uneasy under the charge of want of information as to the intentions of the French. But as it was probable that this subject will be discussed again, he need not say any thing further upon it till that time.

Admiral Gardner defended the conduct of the Board of Admiralty. He gave an account of various convoys that had been sent out, and had safely conducted fleets laden with merchandize of great value. At the same time he stated the impossibility of preventing the French, so long as they were in the possession of Cherbourg, from making descents upon our coast, though the whole channel was covered with cruizers; for they could get under way in the night, and return by the next morning. The Admiral read a letter from the Master of Lloyd's Coffee-house to Mr. Stevens of the Admiralty, stating, that almost all the victualling fleet were safe arrived, either in the river, or some of the western ports, one only having been taken by the enemy.

Mr. Fox having expressed great satisfaction on hearing that none of the victualling ships were taken, took notice of all that had been said by the Chancellor of the Exchequer, whose answers he declared had been evasive and unsatisfactory. Mr. Fox maintained the principal points which he had insisted on before; namely, that sixteen sail of the Baltic fleet had actually been taken. It was true, he said, they were separated from their convoy, that was the very thing he complained of, for the convoy separated from the whole fleet, and the whole had nearly been captured, but sixteen of them were actually taken; to say therefore they were not under convoy when they were taken, was an unworthy quibble, since the very reason of the complaint was their not having been properly convoyed. The observation made by the Right Hon. Gentleman on the government of France, did not tend to describe it as a government of anarchy, since the Right Hon. Gentleman had admitted that it possessed great power, great
secrecy,

secrecy, and all the properties of absolute despotism. He most certainly did not himself think it a government of anarchy; he stated it to be a furious and a rigid tyranny, the most complete despotism that ever existed. Much, Mr. Fox observed, had been said of our great success since the commencement of the war; the Right Hon. Gentleman ascribed every thing to our prodigious efforts; he had denied that we commenced the war with advantage, inasmuch as the French had commenced their preparations so early as October 1792; but he should recollect, that it was one of Brissot's charges against the Minister of Marine, that the promised preparation was not effected. When the present war was entered upon, we had as allies, not only Spain and Holland, but almost every Power in Europe against France singly; and the Right Hon. Gentleman boasts of the superiority of the English fleet over that of France, when in the late war this country maintained her naval superiority, not only over France singly, but united with Spain, Holland, and America. When this superiority of our fleet, and our naval exertions, were spoken so much of, the Right Hon. Gentleman quite forgot the naval exertions of our allies Spain and Holland; but he supposed we should hear of them on a future day, when there should be a proposal for paying for them. If ever there was a period when we had a right to expect complete protection to our commerce—if ever there was a period when we had a right to expect superiority at sea—if ever there was a period in which that ought to be manifested to the world—if ever there was a period in which we ought to benefit by our superiority at sea—the present was that very period. Let us then cease to boast of our protection to commerce, but endeavour to extend it. What answer had been given to his assertion concerning the six French frigates being masters of the channel? Should there not have been in all the provident management of our naval power some arrangement that would have prevented this? But it was impossible to have any intelligence of what the French intended to do: True; but we could have intelligence of what they or any other people at war with us were likely to do; which was that of cruising in the channel if there was no force to oppose them. But our navy was superior to that of the enemy now, so that nothing need be dreaded in that respect. "Why, yes," said Mr. Fox, "the superiority of our navy is unquestionable, and no man rejoices in that circumstance more than I do. But it would be strange indeed, if it were otherwise. It would be still more strange if this country, with Spain and Holland, united against France, singly and distracted, we could not maintain

maintain a superiority in our navy. That we shall be inferior to the French in our navy can never happen. No mismanagement, no incapacity, no inattention, no imbecility in any administration, be it ever so weak or ever so inattentive to its duty, can ever give the French a superiority over us at sea." He still maintained, however, that none of his objections had been fully answered, and that it had not been proved that any thing he had stated was unfounded or untrue.

The Chancellor of the Exchequer said, the Right Hon. Gentleman had gone too far when he mentioned any treaty between the naval powers alluded to: No naval power had been subsidized by us; and the aid of our naval allies had not been of such a nature as to disengage any part of our own naval force. The attention of Holland had been necessarily directed to her own continental defence, and consequently too much to its army, to leave any room for exertion by sea; we had, therefore, the trade of Holland to protect, in addition to our own. The naval exertions made by Spain had, indeed, been great and honourable, especially at Toulon, but that could not enable us to concentrate our force at home. If we had not sent into the Mediterranean a fleet superior to the French fleet, the important advantages arising from the surrender of Toulon would not have been obtained; for the Spanish fleet, although fitted out with great dispatch, was obliged by sickness to go into port; and it was only by Lord Hood's being able to block up the French fleet in Toulon, and prevent any supplies of provisions from arriving, that the place was compelled to surrender. The general conduct of the campaign, he would leave to the impartial judgment of the House and of the country; but if brought forward as matter to be examined on any future occasion, he trusted, he should be able to prove, that, far from affording any ground for inquiry or censure, it had furnished much ground of surprise and congratulation.

Mr. Sheridan disavowed any intention of going into any argument upon the resolution before the Committee; he rose merely to make a few observations, and he would do it as shortly as possible. He thought the Right Hon. Gentleman had forgotten some of his own treaties, else he must have recollected, that the Neapolitan ships of war were to be paid by us for carrying Neapolitan troops to Toulon. Whether or not it was fit to keep so great a fleet in the Mediterranean, after Lord Hood was in possession of Toulon, would be fit matter of discussion when the business of Toulon came to be inquired into. That event of the war, which was one of the most important features of the naval campaign, must come under

under discussion; and although he did not mean to prejudge the case, he could not help saying, that the capture of Toulon would be the greatest curse upon the country that it had ever experienced; for he did not doubt that it would stimulate the French to a regeneration of their navy, and that we should next year have reason to lament our success in this instance. The Right Hon. Gentleman spoke of the naval exertions of Spain as in fact of no use; and, contrary to all the former declarations of ministers, affirmed, that the surrender of Toulon was not obtained by the loyalty of the inhabitants, but by force and famine. A Right Hon. Gentleman (Mr. Dundas) whom he was sorry not to see in his place, had contradicted the statement of a noble Lord (Lord Wycombe) of the defenceless situation in which Halifax had been left, and said, that there were 4,000 men to defend it. A letter from a person in whom he could confide, dated Halifax, Dec. 7th, stated the distressed situation of the inhabitants, who were in the utmost alarm from want of a proper naval force to protect their trade, that every ship which had sailed from thence, for some time past, had fallen into the hands of the enemy: That the Ambuscade French frigate had been permitted to scour the coast, and had fitted out, as armed vessels, several of her prizes to cruise against the trade: That Admiral Soufflet, with three ships of the line, had been on that coast; that it had been his intention to take St. Peter's and Cape Breton, and winter at Louisbourg, and pay them a visit in the spring, and that then he could meet no resistance. Mr. Sheridan read the letter, which said, that there was only one frigate at Halifax, two companies of artillery, two of infantry, and three hundred volunteers unfit for any service.

The Chancellor of the Exchequer said, he did not recollect that his Right Hon. Friend had said any thing more than that there was a sufficient force at Halifax to repel an attack at the time an attack was supposed to be threatened. Part of that force had been afterwards sent to the West Indies; but by the exertions of the Governor, and the loyalty of the inhabitants, it was soon replaced: And that the information received from the Governor differed materially from that stated by the Hon. Gentleman's correspondent.

Admiral Gardner said, one frigate was sufficient for Halifax during the winter, when the harbour was frozen up, and an enemy could not approach.

Mr. Sheridan said, the exertions of the Governor, and the loyalty of the inhabitants, had produced the 300 unserviceable recruits mentioned in his letter. The plan of the enemy was

not

not to attack it in the winter, but in the spring, before any additional force could be sent to it.

Lord Wycombe said, he should have answered the assertion of the Right Hon. Secretary (Dundas) on the first day of the session, when it was made, if the rules of the House had permitted. If no addition had been made to the means of defence which Halifax possessed before the war, the naval stores there were open to the depredations of a very small force.

Mr. Minchin took notice of that part of Mr. Fox's speech which related to the captain of the *Severn*, the ship appointed to convoy the *Quebec* fleet. He said, he was well acquainted with the circumstances of the return of that fleet, because a relation of his, against whom he was sorry to hear any thing insinuated, though not said, commanded the convoy. The voyage to *Quebec* was the first voyage of the *Severn*; she had been separated from the merchantmen by a gale of wind of several days continuance, such as no one of the officers on board had ever experienced; and returned to port so much damaged, that she was not fit for sea again till two months afterwards.

Mr. Fox said, the Hon. Gentleman totally misconceived, and consequently misrepresented his words, in saying that he had thrown out any insinuation to the prejudice of the officer who commanded the ship appointed to convoy the *Quebec* fleet. The time required to repair the damages of the ship tended only to prove what he had stated, viz. that she was insufficient.

The Lord Mayor confirmed what had been said by the Chancellor of the Exchequer as to successful protection afforded the different fleets of merchantmen by a variety of convoys.

Mr. Alderman Anderson said, the merchants trading to the Baltic were all highly satisfied with the protection afforded to the trade, and the punctuality of convoys; if any merchantmen had been taken, that was not the fault of the convoy, but of the captains of the merchantmen, who would not wait till the convoy thought proper to sail.

Sir M. White Ridley reminded the House that he was not only a Member of Parliament as representative for Newcastle; but was concerned in its trade and commerce; therefore he deemed it his duty on the part of his constituents to declare, that the trade of that place had been better protected since the commencement of the present hostilities than it had been in any former war. This, in point of justice, he felt himself bound to ascribe to the vigour and exertions of the executive government.

Mr. Brandling also said, the people of Newcastle had never found such protection afforded to trade in any former war.

The resolution for 85,000 seamen was agreed to. Ordered that the report be received on Friday.

Adjourned till Friday.

HOUSE OF LORDS.

FRIDAY, *January 31.*

TRIAL OF MR. MUIR BEFORE THE COURT OF JUSTICIARY IN SCOTLAND.

Earl Stanhope began with declaring that he did not suppose he should be contradicted by any noble Lord in the House when he asserted, that an examination into the conduct of the courts of justice of this kingdom, and whatever appertained to them, and the conduct of the judges, were important trusts, and such as involved their Lordships in a correspondent and essential duty to examine into either with care and deliberation, when any thing occurred which had the semblance of injustice or oppression. The question that he should have the honour to submit to their Lordships, was one to which, from its singularity and oppression, he could not suppose they were entire strangers. It might be asked whether he had a precedent for what he was going to move? He would reply, that in his mind precedents were unnecessary, where oppression was great, or misconduct manifest; for it was the inalienable right of the people not to hold precedents necessary, where *Magna Charta* was abused, or the laws stretched to an unjustifiable degree; but if there was no precedent, he thought the case sufficiently important to make one. Should noble Lords, however, think precedents absolutely necessary to bear him out in his arguments, he would even meet them on that ground, and state that there were precedents, no less than four in one year, which were strictly in point, and were such as would be received by their Lordships with that degree of sentiment and attention that was certainly due to their importance.

In the reign of William and Mary there were four acts passed to reverse four different acts of attainder. These, when he mentioned them, must occur to the mind of every noble Lord present. They were those which referred to Alderman Cornish, Alicia Lisle, Algernon Sydney, and William Lord Russell, who had been charged with sedition and treason, convicted and executed. In the year 1689 a bill was brought in to reverse the act of attainder against Alderman Cornish, which was read on the 2d day of June a first time, and was read a second time the same day, and then committed. [*Here the Earl called upon the Clerk of the House to read extracts from the Journals in corroboration*

tion of his assertions.] From the precedent read from the Journals, Earl Stanhope proceeded to observe, that the bill for reversing the attainder against Alderman Cornish originated in that House, passed in the course of four days, and was sent down to the Commons for their concurrence. The attainder against Algernon Sydney and William Russel, Esq. commonly called Lord Russel, were also repealed by a similar process, in consequence of the recommendation of his Majesty to the House to take the same into its consideration. These were the grounds on which he would bring forward his motion with respect to Mr. Muir, the proceedings against whom he pronounced to be of the most extraordinary, and, in his mind, the most unjustifiable nature that ever came before a court of justice. In this unexampled trial, their Lordships must be surprised to hear, that the Lord Advocate was suffered to bring forward every collateral fact and circumstance which he thought necessary to criminate the pannel, or, agreeably to the phraseology of the English courts, the defendant; and though the most prominent of these collateral facts brought against the pannel on *his trial* were not charged in the indictment, still the pannel, who, according to law and justice, ought to have been allowed to have availed himself of the circumstance, was not admitted to do so, the Lord Advocate declaring, that if all the facts necessary to support the charge were there inserted, the indictment would cover the walls of the court. What, he asked, would their Lordships say to the Managers of the impeachment, if they had omitted several of their most important charges against Mr. Hastings in the articles, and afterwards attempted to prove him guilty of such charges? Surely their Lordships would not suffer them to profit by their own negligence, because, forsooth, they might have apologised for their remissness, by saying, that the introduction of such charges in the articles of the impeachment would have occasioned them to extend to such a length, that they would have covered the walls of Westminster Hall.

Nothing in his mind, the Earl said, could be more absurd, or derogatory to the principles of law, or of common sense. But the principle, when attempted to be established on the impeachment, was four several times repelled by their Lordships in the case of Warren Hastings, in the instances that he would mention. Mr. Hastings was charged by one of the Managers with having acted criminally in having received six lacks of rupees from Kellaram. The production of this evidence was objected to by Mr. Law, the counsel for the prisoner, because the fact was not charged in the impeachment; whereupon their Lordships adjourned to their Chamber of Parliament, and after debate resolved that such evidence was inadmissible for

the reason assigned. On the 29th of April 1790, the Managers interrogated a witness, whether or not more oppression did not exist under the new institutions established by Mr. Hastings, than under the old forms that prevailed before his arrival in India? The question was also objected to by the counsel for Mr. Hastings, because the charge was not contained in the impeachment, though he admitted that the word "oppression" was inserted in the articles. Mr. Plover contended, that the Managers could not come forward with any charge founded on general words, without such charge was stated in full and precise terms in the impeachment. Mr. Burke replied, by declaring, "that he did not contend that any such proceeding should be tolerated," but still he insisted, "that the Managers for the House of Commons were not bound by the rules or forms of precedent in ordinary cases, and that such privilege was their *Magna Charta*, and therefore they were justified in such proceedings;" but when their Lordships met in their Chamber of Parliament, they wisely and properly adhered to the strict principle of the law of evidence, and resolved, that the Managers were not competent to call witnesses to any fact not specifically charged in the articles of impeachment. His Lordship next called the attention of the House to its further proceedings on the impeachment, when the Managers attempted to implicate Mr. Hastings in the enormities of Deby Sing. Another effort to produce questionable evidence against Mr. Hastings was made in May 1790, on a circumstance not charged in the impeachment; all of which would appear to have been resisted by their Lordships in their Journals, on the same grounds that they had objected, in the first instance, to hear witnesses against the prisoner. His Lordship read a statement of what passed in Westminster Hall, in each of the instances he had referred to, from his own notes taken during the trial, and mentioned the particular pages of the printed evidence, where they would be found, together with the resolutions of the House on each occasion delivered in Westminster Hall by the Lord Chancellor, by their Lordships' directions. This was not only law, the Earl said, but was a maxim founded in the eternal principles of justice. And if the admission of evidence, to prove facts, could not be suffered in the case of Mr. Hastings, who was to have months, and even years to prepare his defence, how much more forcibly did it apply to Mr. Muir, who was to answer on the moment? But this was contrary to the extraordinary doctrines maintained by the Lord Advocate, and countenanced by the Court of Justiciary in Scotland. The law of Scotland, his Lordship said, allowed a defendant fifteen days notice, and a copy of his indictment, that he might produce

produce evidence to rebut the charges against him; but it also obliged the defendant, the day before his trial, to deliver in writing the nature of the defence he intended to oppose to the charge, and the names of the several witnesses he meant to call in support of that defence. When Mr. Muir came into court to be tried, he found facts alleged against him not charged in the indictment, of which he had not had any previous notice, and to refute which he was of course precluded from the possibility of calling any witnesses, because their names had not been given in before. By this means the gentleman was *entrapped*; he begged that his words might be attended to. The gentleman was entrapped in a manner most outrageous to all ideas of common justice. There were other circumstances in this trial equally at variance with all the principles which we revered; and the same facts occurred in the trial of the Reverend Mr. Palmer, a man of whose character he would not speak, because this was a question of fact and justice, and not of mere character; but Mr. Palmer was a man of most disinterested integrity, and whose conduct was so exemplary, that he could not avoid specifying an instance. He was known to, and patronized by the late Duke of Rutland, who proposed to give him valuable church preferment; but from scruples of conscience he refused it. Another, and a most affecting proof of his integrity, and of his amiable manners, highly honourable to another person, was, that a young gentleman whom he had educated, of the name of *Ellis*, was so attached by gratitude and esteem to his honoured master, that he had determined to abandon all his hopes, all his connexions in life, to leave his native country, and to accompany Mr. Palmer in his exile to Botany Bay. This endearing instance of generous attachment he mentioned to prove, that this dreadful sentence, after a trial so extraordinary, had been passed on a most venerable and admired character. In his instance, there had been a misnomer in the name. The objection was over-ruled, they tried him by the false name, but when they came to pass sentence, they took care then to call him by his real name. Thus the person who was sentenced, had not been tried at all, and the person convicted was not sentenced. Challenges too were made of several of the jurors upon grounds that ought to have been irresistible; nay one of the jurors felt the force of the objection so strongly, that he requested permission to withdraw—this was over-ruled. If all this was the law of Scotland, which certainly he could not take upon himself to deny, he would only observe that Scotland had no more liberty than it had under the arbitrary reigns of the race of the Stewarts. All that he contended for was, that their Lordships should inquire into the trials: He meant to propose no censure; he desired

fired only that the sentences passed against these persons should not be put into execution until their Lordships should have had time to inquire; for nothing was so clear as that they ought to prevent the evil consequences of these harsh and indiscreet proceedings, not to suffer them first to take place, and then afterwards find that they were wrong. The Earl said, he had similar motions in his hand, for the four cases that had already occurred in Scotland, those of Mr. Muir, Mr. Palmer, Mr. Skirving, and Mr. Margarott. He concluded with moving the first, "That an humble Address be presented to his Majesty, that this House has been informed that Thomas Muir, Esq. who was tried before the High Court of Justiciary at Edinburgh in the month of August last, upon a charge of sedition, has been condemned and sentenced to be transported beyond the seas, for the space of fourteen years; and further, to represent to his Majesty, that this House intends to proceed, without delay, to examine the circumstances of such condemnation, and of such sentence; and therefore humbly to beseech his Majesty, that the said Thomas Muir, Esq. may not be transported beyond the seas, until this House shall have had sufficient time to make such examination."

The Earl of Mansfield said, he rose with no small difficulty to offer some reply to an extraordinary speech, introductory of the most singular motions that he had ever heard since he had enjoyed the honour of a seat in Parliament. Difficulty of any kind he should not have felt, if the noble Earl had, as he expected would have been the case, had brought a direct charge against the Court of Justiciary in Scotland, a court to which he had the honour to belong. Had a direct charge been made, he should have been ready to have met it, together with those who filled the bench of the court in question; and he pledged himself to their Lordships, that he was ready to face any open charge against the Justiciary Court of Scotland, let it come from what quarter it would, and make its defence in the best manner that his ability and strength would admit. The noble Lord had not concluded with a motion of censure, but it was necessary that a word or two should be said upon the intemperate, unprovoked, loose, and unfounded observations of the noble Earl. The noble Earl had boasted much of precedents; and in proof of his assertion, had cited four cases in which acts of attainder had been reversed, in 1689. What analogy there was between the reversal of acts of attainder, and the decisions of the Justiciary Court in Scotland, in the cases of Messrs. Muir and Palmer, his Lordship said, he had yet to learn. Not contented with citing these precedents, such as they were, the noble Earl had referred to his own minutes taken upon the subject of Mr. Hastings's trial, and had caused several resolutions

tions

tions of the House respecting the admissibility of evidence, and the rejection of any testimony that went to prove a fact not charged in the impeachment. As little analogy was to his mind apparent between these resolutions of the House, and any thing that had occurred on the trials of Mr. Muir and Mr. Palmer, the Earl of Mansfield said, as between the cases of acts of attainder reversed in 1689, and the subject then brought forward. He considered all these matters, therefore, as mere flights of fancy in the noble Earl; flights of fancy which he admired, but which he could never reach. The noble Earl had chosen to say a good deal, couched in rather severe terms, on the conduct of the Lord Advocate, and upon his declarations, that if all the collateral facts in support of the main criminal allegation, were charged in an indictment, the indictment would cover the walls of the court in which the trial was held. All this part of the noble Earl's speech had clearly rested on the popular account of the trial. "Wretched (said the Earl of Mansfield) would be the situation of any of your Lordships, were you to be tried on the reports of your speeches in Parliament daily given, even by those who wish to relate accurately: But wretched, indeed, must be the situation of those judges who were to be tried on vague reports and pamphlets, in which there were palpable signs of wilful misrepresentation." Whoever looked at the account of the trial, would immediately see that it was a partial report, calculated to answer, not the ends of justice, but the cause of sedition. The mention of one particular was sufficient to establish that assertion, to the conviction of every impartial hearer. The Lord Advocate was stated to have spoken for two hours and a half, and the whole of his argument was given in three pages, whereas Mr. Muir's speech, which did not confessedly take up near the same time, made nearly one half of the pamphlet. In respect to the trial itself, the Earl said, it was enough for him to observe that the parties had been convicted by a verdict of their country; the sole question, therefore, that could arise, was, Whether the sentence of the court, pronounced after conviction, was a legal sentence? Their Lordships were bound to consider the verdict as legal, until an appeal came before them; but no appeal, it might be said, could come from the courts below in criminal cases: There was, nevertheless, a way of bringing every such question before the cognizance of Parliament; and God forbid, that the day should ever come when the conduct of judges, in the administration of public justice, was not subject, in the proper form, to the strict revision of their Lordships! If ever the sentence of the court should be brought under their Lordships' consideration, the Earl pledged himself to prove its legality. He concluded with declaring, that he
would

would trouble their Lordships with nothing further in answer to a speech which sufficiently answered itself; but hoped to experience the indulgence of the House, if in the course of the day any thing like censure should be cast on the Court of Justiciary, which might make a reply necessary.

The Duke of Norfolk admitted that it was strictly the duty of that House to watch over the administration of public justice, and said he would certainly support every motion calculated to produce investigation, where the grounds of inquiry were regularly and properly made out; but he did not think that was the case in the present instance. His Grace conceived, that the case of Mr. Muir should have been brought forward by petition supported by affidavits as to the allegations, and by such documents as the nature of the facts stated might render necessary; and had it been proved in that manner, that exculpatory evidence on the part of the pannel had been refused by the court, he should have been of opinion that it called for the reprehension of the House, and would have given his vote accordingly. But as he could only consider the noble Earl's speech and motion in the light of an unsupported attack on the conduct of the judges of the criminal court in Scotland, he must vote against the question.

The Earl of Lauderdale reminded the House, that he had strenuously pressed the noble Lord not to bring forward his motion; and he still hoped he would withdraw it, only that it might be brought forward in a more regular way; if he persisted in it, he must decline voting at all. He agreed with the noble Earl who had lately spoken, that the legality of the sentence was the only fit question to be discussed. To the sentence and its legality he meant to confine himself in the motion he intended to bring forward on a future day. But as the motion was made, he would just say, that it was no wonder that these trials had excited so much public notice, and had so warmly interested the feelings of mankind, since, that men in Scotland should be transported to Botany Bay for fourteen years for what in England had raised others to the most splendid situations, was certainly calculated to excite surprise and even more unpleasant sensations. Nor would it escape their observation that there must be something extremely harsh in the law of Scotland, which should inflict a punishment of fourteen years transportation for the same offence on the other side the Tweed, which in England would be deemed only a misdemeanour, and subject a man to no more than six or twelve months imprisonment. With respect to official proofs which were necessary to be brought in support of any measure that was agitated in that House, there would be perfect grounds for the only

only proper motion which he thought could come before them on the subject. The record of the conviction and sentence could be laid upon the table, upon which to ground an inquiry into the legality of the sentence. This was the proper motion in his opinion, and this would certainly be brought before them. That undoubtedly there were extraordinary proceedings on the trial, no man who had read the different accounts could deny; and though the noble Earl who spoke last might object to one pamphlet as partial, he had in the case of Mr. Muir the accounts on both sides, and he would be willing to give to his Lordship his choice of either of the pamphlets on the points respecting the challenges, the examination of witnesses, &c. &c. and see whether the most favourable report could reconcile with reason, or with the principles of a fair trial, any one of these particulars. The Earl gave a short statement of those points, and dwelt a good deal on the slightness of the offence, *viz.* a pamphlet having accidentally slipped out of the defendant's pocket. Lord Lauderdale concluded with saying, that if the noble Lord should persist in taking the opinion of the House, he must decline giving his vote either *for* or *against* the question.

The Earl of Coventry said, if he understood the question and the nature of the noble Earl's argument, the object was to complain of the comparative distribution of justice in England and Scotland, but he would adduce a much more glaring instance of injustice. His Lordship then read an extract from a printed paper, but he spoke in so low a tone, that we could not discover what it was that he alluded to.

The Lord Chancellor left the woolfack and said, he should have felt unhappy if the matter had been suffered to go off, without the judges of the Court of Justiciary having been clearly proved to have acted correctly. His Lordship said, the grounds of the motion were vague and irrelative in the highest degree: That it had no apposite precedent, but was founded on a mere loose suggestion, and was at once informal and disorderly. Granting even that there had been, in the cases alluded to, a mis-trial, that doubts were entertained of the legality of any part of their proceedings, that the verdict of the jury had not been justified by the evidence, that the conduct of the judges had in any degree been founded in misapprehension of the case, that there had been a misapplication of the law, or in short, if there had been any thing irregular in the trial, the verdict, or the sentence, there was a remedy provided by the constitution, for bringing the whole into revision. But who ever heard of a single instance of an address being moved for in that House, to pray his Majesty to

postpone the execution of a sentence? Nothing was more certain than that human judgment was fallible and might err; and not a year, not an assize, not a term almost passed, without instances of cases occurring, when one judge or other was happy to have his judgment revised by his brothers, and when, by more deliberate discussion of a question, any error into which he might have fallen might be corrected to the ease and remedy of the parties concerned. Cruel and hard would be the situation of a judge, if such means were not given him, of retracting any misapprehension or accidental error into which he had fallen.—What was the way in which this was to be done? By the person, who stood convicted, humbling himself as a criminal before the throne, and presenting a petition, stating the hardships of his case, and praying his Majesty to interfere with the gracious exercise of his prerogative. His Lordship said he surely did not say too much in saying that a man convicted of a crime by a verdict of a jury ought to humble himself as a criminal. In truth it was not humbling himself, it was becoming, that a man against whom such a sentence lay should present his case in terms of supplication. Was it so here? Had any petition been attempted to be presented by the persons tried in Scotland? No such attempt had been made; on the contrary, a boasting and a vaunting language was held by the parties. The known lenity of the crown and inclination to mercy, where it was at all proper, ought not to operate as a check to petitions, and when they were presented, and any sort of ground laid to render it necessary, a reference was really had to the merits of the case, inquiry was made, the judges were appealed to, whose notes were produced and compared with the verdict. This, his Lordship said, was the general practice, and such was the anxiety of those whose duty it was to advise his Majesty in all cases where there was the least doubt entertained of the regularity and legal form of the proceeding, that in the present case, although a petition had not been presented, to his knowledge a paper was in existence, whence it would appear, that the matter had been inquired into, the judges written to; and that whenever that paper was produced, it would be seen that there existed no ground of complaint whatever. It was not necessary for him to volunteer the production of this paper, but if ever their Lordships should think proper to entertain an inquiry into the case, he would pledge himself that they would find the conduct of the judges of Scotland had been such, as their Lordships would always desire to find in men entrusted with functions so important. He avoided any more sounding and extravagant terms of praise, because he wished not to enter into eulogiums that might

might be thought overstrained. A man who had written in defence of the administration of justice in Venice was punished by the government for his presumption and officious zeal, the government declaring that the administration of justice in Venice, so far from standing in need of defence, was put in question by the very attempt to defend it.

The noble Earl, his Lordship observed, had referred to resolutions of that House, as a ground for arraigning the proceedings on the trials before the Court of Justiciary in Scotland. The Scotch judges neither could know officially, nor be guided by any resolutions of that House; they could act only by the rules of their own court, and it was certain that all the instances quoted by the noble Earl were clearly within such practice. His Lordship stated, that the law of Scotland was totally different from the law of England in all matters of a criminal nature; and upon inquiry it would be found that the matters insisted on by the noble Earl who brought forward the motion, were strictly regular according to the practice of the law of Scotland. With regard to the printed accounts of the trials in question, they were of little or no authority, because it was obvious that they were accommodated to party feelings. As to the Lord Advocate's argument, which had been so much complained of, it was well supported in practice, for it was undeniable that the Lord Advocate had a right to prove facts collateral with the main charge, though not specially stated in the indictment. In the same way, with respect to the challenges, they were the most absurd that ever were offered. If challenges were to be made against men, merely because they had subscribed their names to their sentiments in favour of the existing government, and had belonged to associations to support it, the pannel might offer such challenges again, and again, and again, till no jury would be left, or could be found but among the known friends and supporters of the pannel and his principles. In short, all the objections which had been made on these trials, and which had been properly over-ruled, were something in the nature of the story told of a man, who being put on his trial for a capital offence, said, he would swear the peace against the judge, for he verily believed he had a design upon his life. His Lordship spoke with great satisfaction of the loyalty and zeal of the people of Scotland, declaring, that it was a notorious fact, that the general spirit of the country was in favour of order and government; that the inhabitants of that part of the kingdom were perfectly contented with the administration of criminal justice that had prevailed there under the practice of the Court of Justiciary, a practice that had prevailed for near a century, with infinite ease and satisfaction

to the subjects in general. He was therefore glad to find, from what had passed that day, that their Lordships felt favourably to those judges who had deserved so well of the country in general; he hoped that feeling would continue, because it was no more than the judges were amply entitled to.

Earl Stanhope said, nothing that had fallen in the course of the debate tended in the smallest degree to induce him to withdraw his motion. A noble Duke had complained that the matter had not been brought forward in a regular shape; the noble Duke had said, it should have come forward by petition supported by affidavits and proper documents; and the noble and learned Lord on the woolsack had said, that a petition to the crown should have been presented, which was the only proper mode of proceeding. He was therefore glad that he had brought forward his motion, because he had heard from the noble and learned Lord, that there was a legal remedy in case of error, irregular proceeding on a trial, or illegality of sentence. And what was the legal remedy? That a person unjustly condemned must humble himself as a criminal before the throne. And this is the boasted justice of England! He trusted that no man would be base enough, who felt conscious innocence, so to humble himself; nor was it very becoming the dignity, either of national justice, or even of royal prerogative, to expect of an injured man such submission. He had done however good by his motion, for he had drawn from the noble and learned Lord on the woolsack a declaration, that, on the question being represented to the Crown in the shape of a petition, the remedy would be obtained [*the Lord Chancellor signified his dissent from this statement of his words, as being wholly erroneous*]. "The noble and learned Lord then means to say, that there will be no remedy; he advises a petition, but declares at the same time that a petition is to be of no avail. My Lords, I persist in my motion, and I shall divide the House if I stand alone; I do not care with how many or with how few I divide. I look not to numbers, but to arguments, and as to argument against my motion, I have not heard one of any weight whatever either from the noble Earl near me [*Lord Mansfield*], the noble and learned Lord on the woolsack, or any other noble Lord." The practice of the Court of Justiciary of Scotland, as stated by the noble Earl, and confirmed by the noble and learned Lord, was highly unjust, and the remedy proposed by that noble and learned Lord was certainly a most extraordinary one; but it was the sort of remedy which he was extremely anxious to avoid, *viz.* the absurd and nugatory idea, of carrying the sentence, severe as it was, into practice first, and

and instituting an inquiry into its justice afterwards, when it could be of no sort of advantage to the parties, let its result be ever so favourable to their case.

Lord Thurlow began with declaring that it was of infinite moment that no attack on the judges of the Court of Justiciary in Scotland should be countenanced by their Lordships, without having before them the most serious and substantial grounds for forming an opinion, that the judges had acted in a manner irregular, unwise, or illegal. Unnecessarily to entertain complaints against the judges of the criminal courts in Scotland, would be attended with fatal consequences. It would go to disabling magistracy, and rendering it inefficient, by diminishing and destroying its authority and depriving it of the power of preserving public tranquillity, which must follow from lessening its weight and importance in the eyes of those over whose property and conduct it was the duty of the criminal judges to preside and give decision; since in their confidence in the purity with which the laws were enforced and public justice administered, depended altogether the efficacy of both the one and the other. Their Lordships would therefore be always indisposed to any motion of censure, made lightly, against judges; and he could not help saying that the present motion, from the manner in which it was made and supported, was of that sort; for the noble Earl had referred their Lordships to four acts, reversing judgments of attainder passed in the year 1689. Their Lordships would recollect the period at which these acts had passed; it was immediately after the Revolution, when a very just and violent ferment existed generally in the minds of the people, in consequence of the most cruel, vindictive, and unprincipled administration of justice, that had ever been practised in any country. Would it be fit that their Lordships should now make a resolution, grounded on an analogy between the judgments lately passed in Scotland, and the proceedings which these four acts reversed?

He most perfectly agreed with the noble Earl in the general doctrine which he had laid down with respect to criminal accusation. Whenever a man was charged and put upon his trial for a criminal offence, every tittle of that offence ought to be set forth and precisely described in the indictment, so as to be previously made known to him, that he might prepare his answer and defence; and it was equally a clear and manifest principle in criminal jurisprudence, that no one article should afterwards be added, so as to take the defendant by surprise. And this was not only the uniform and constant practice of the criminal courts in England, but it was also a principle generally

generally recognised by the law of Scotland. His Lordship gave a definition of the nature and form of proceedings in criminal cases, according to the law of Scotland. An indictment there was called a syllogism, consisting of three parts. In one instance in the criminal law of Scotland, that which in their law is called *art and part*, and which is equivalent to what in England we call *accessary before the fact*, a greater degree of generality and looseness was permitted, than is suffered in England, or than in any other part of the Scots criminal law. This was done upon the authority of a special statute, by an act of James VI. the preamble of which set forth, that whereas it was difficult to prove the crime of *art and part*, if the same precision in the statement of facts was required that was necessary for other species of guilt, it permitted them to charge *art and part* generally without enumerating the particular facts that tended collaterally to corroborate and confirm the main charge, or the *corpus delicti*. The indictment begins with setting forth the *corpus delicti*, which they call the major proposition of the syllogism, and this is alleged generally; it then proceeds to the minor part of the syllogism, in which are enumerated all the facts, which, if proved, go to constitute the general charge, or major of the proposition: And the third was the conclusion, whether such a charge, supported by such facts, constituted the criminal offence, or *corpus delicti* alleged.

This *corpus delicti* the judges first found: That is, they declared whether they found the charge was relevant, and whether the facts of the minor proposition, stated as collateral proofs of the major, were so or not. If they decided upon both affirmatively, and found the indictment relevant, they referred them together with the conclusion to the jury; for the conclusion, in the practice of the criminal courts of Scotland, was not in the discretion of the court, as with us, but was left wholly to the jury to decide upon, which made their verdict in criminal cases less questionable than that of an English jury. His Lordship stated the mode of proceeding in Scotland. The relevancy of the indictment was first argued. If found relevant, a copy of it is granted to the pannel, who is allowed fifteen days to prepare his defence; but he was obliged on his part to propound his system of defence, and give in a list of the witnesses he meant to call in support of it the day preceding his trial. All this was enacted by the act of King William. The first was meant as an advantage granted to the party criminally charged, and the second was demanded of him as a compensation on his part for so much favour.

It was impossible to deny with Sir George Mackenzie, whose name deserved much higher praise and more respectful treatment than it had lately met with, that there was a degree of harshness in charging a man generally as *art and part* in a crime, without specifying the facts which constituted the crime; but until he should hear that a defendant had applied to the discretion of the judges for relief from actual hardship under the severity of this statute, and that they had refused it, he certainly should not consider it as a charge against the judges, that a person had been so tried. It was the statute law of the land, and the noble and learned Lord on the woolsack had truly said, that the question was not, whether the law itself was severe or not? With respect to the observation of the noble Earl, that a *misnomer* in the case of one of the persons had not been permitted to operate in his favour; to this he said, that undoubtedly in England, if pleaded, the indictment would fall to the ground; but in Scotland less strictness was required.

It was their doctrine, that the identity of a person was better proved by his joining issue in the trial, and thereby acknowledging himself to be the person indicted, than by being perfectly correct in the spelling; and in the case of Mr. Palmer, the error was only that of the mode of spelling the christian name, *viz.* whether it should be spelt *Fytche* or *Fish*, a matter too trifling not to have been over-ruled, if stated as an objection that was fatal, in any court of justice in either part of the kingdom. But with regard to the practice of the criminal courts in England or Scotland, whether our strictness or their looseness was most favourable to substantial justice, he would not stop to inquire, for the question was, whether they had acted conformably to their own practice? So far as he could judge from what he had read of the proceedings on the trial, the counsel for the defendant did not make the objection, probably because they knew, as indeed it had been thrown out by one of the judges, that, had the objection been admitted, it would have only occasioned a new indictment, and given an interval of fifteen days.

In examining a question of this nature, he declared that he was to be guided in his judgment by no regard for persons; though it was impossible but that he should have respect for those persons, for some of them, such as acquaintance would naturally produce, and for all that was due to men of worth and integrity; but that a question of this sort should certainly be discussed without any influence from personal considerations. The specific crime charged on the gentlemen whose cases had produced this discussion, was that of *verbal* sedition,

sedition, which seemed by the Scots judges to be considered as an offence at common law, an opinion, which in the state and limits of his knowledge it would be presumptuous in him to controvert, though it seemed to him, from all that he had read, or had been able to collect on the subject, it had no higher origin than the statute of James I. against *leasing-making*, as the statutes of Edward I. and of *scandalum magnatum*, were the foundation of our law of libel. The term *verbal sedition* was indeed improper, because figurative and metaphorical; the true crime of sedition was well defined and understood in the Scots law, and clearly answered to what were here called *routes*, or riots, unlawful assemblies, where the people were stirred up to riotous acts against the peace, and which in both countries was clearly distinguished from the crime of treason, the one affecting private property, the other the person of the sovereign or his government, which required either an overt act of compassing the death of the King, of levying war against his government, &c. to be proved previous to conviction.—This act of James against *leasing-making* had subjected the criminal to capital punishment; but by the 3d of Queen Anne, enumerating all the former statutes, it was reduced to the level of what in England we called misdemeanour, and restricted to an arbitrary punishment of *fine, imprisonment, or banishment*.—If these persons had been tried in England for the same offence, they would have been tried for misdemeanour; and if convicted, would have received the sentence commonly annexed to such guilt. What particular circumstances there might be in the temper and disposition of the people of Scotland, in the nature of the case, or in the general state of the kingdom, to induce the judges of Scotland to inflict the severest sentence within the grasp of their discretion under the act of Queen Anne; whether that act gave them any such discretion, or what additional latitude they conceived to derive from the act of the 25th of his present Majesty, it was not for him to determine; nor indeed was it the business of that day to inquire. It was always his wish to believe that judges acted with a sound discretion. It was idle to say, however, that lapses did not occur to judges, and that errors were not incident to all human tribunals, as well as to all human conduct; judges would be placed in a most unfortunate situation, if opportunities were not furnished them to revise and reconsider their opinions. The noble and learned Lord on the woolsack had said, and said truly, that in all cases where the judges or juries had either mistaken the law, or gone beyond their discretion, the becoming and constitutional course was, for the persons aggrieved to petition his Majesty

Majesty for redress; whose gracious inclination and undoubted prerogative it was, not only to temper the harshness of legal judgments, but to prevent the erroneous decisions of his courts of criminal justice from being injurious or oppressive to his subjects.

All utterers of sedition, whether in words or writing, ought, his Lordship said, to be brought to condign punishment. He had already stated the difference between sedition and treason; the practice and the law on this subject were in Scotland distinct and peculiar in both cases from what obtained in England. The conviction lay with the jury, but the punishment with the discretion of the court, only limited to three modes, *viz.* fine, imprisonment, or banishment. That being the law of Scotland, it was idle and useless to cavil on the ground of comparison of what would have been the sentence here for a similar offence, and what had been the sentence where the court had an undoubted discretion. At the same time, his Lordship said he would not disguise his opinion, that the discretion ought to be wisely exercised, and the punishment apportioned *secundum modum delicti*. If it ever were to happen that the degree of punishment, which, in this country at least, was enacted as the proper punishment of felony, was adjudged in a case of misdemeanour, and such a sentence should be so enormously severe, compared with the degree of criminality, as to revolt mens minds on account of it, he should lament it extremely, because he feared it would be attended with much serious inconvenience in future. His Lordship begged to be understood, in having said this, as having only thrown out his general opinion on the subject, without meaning to apply it either to the case that day agitated, or to any particular case or person whatsoever. His Lordship concluded his speech (which turning entirely upon points of law, we have reported with no small dread of misconception) with again recommending it to the House to be particularly cautious how they entertained any thing like a censure or an attack on the conduct of judges, either of the English or the Scotch courts, it being at all times highly necessary to support the magistracy, and carefully avoid lessening its weight and authority.

The House divided, Content 1

Not Contents 49

PROTEST.

Die Veneris, 31 Jan. 1794.

The Order of the Day being read for the Lords to be summoned,

It was moved, That the several Entries in the Journal of the 8th, 10th, and 13th of June, 1689, relative to the bill intituled, "An act for reversing the attainder of Henry Cornish, Esq. late Alderman of the City of London," be now read.

The same were accordingly read by the Clerk.

Then it was moved, That an humble address be presented to his Majesty, humbly to represent to his Majesty, that this House has been informed that Thomas Muir, Esq. who was tried before the High Court of Justiciary at Edinburgh, in the month of August last, upon a charge of sedition, has been condemned and sentenced to be transported beyond seas for the space of fourteen years; and further to represent to his Majesty, that this House intends to proceed without delay to examine the circumstances of such condemnation and of such sentence; and therefore humbly to beseech his Majesty, that the said Thomas Muir, Esq. may not be transported beyond seas, until this House shall have had sufficient time to make such examination.

Which being objected to: After debate,

The question being put thereupon, it was resolved in the negative.

Tellers	{	E. Stanhope		Content	1
		E. Stair		Not Contents	49

Dissentient. 1st, Because the attending to the due administration of justice, and the watching over the conduct of the various courts in this kingdom, is one of the most important branches of the business of this House, and is at all times also one of its most essential duties.

2dly, Because it obviously appears to be proper to examine into the justice and legality of a sentence before it is executed, and not to permit it to be executed first, and then to examine into its justice and legality afterwards.

3dly, Because, for want of such timely interference on the part of this House, it has formerly happened, that, within a short time, no less than four unjust and illegal judgments were actually carried into execution, as appears from the respective attainders of the innocent sufferers having been afterwards reversed and made void (when it was too late) by four acts of Parliament, made and passed in the first year of the reign of their late Majesties King William and Queen Mary, namely, in the cases of Alderman Cornish, Alice Lisle, Algernon Sidney, and Lord Ruffel.

4thly,

4thly, Because it is contrary to the first and immutable principles of natural justice, that any thing to the prejudice of a defendant should be brought before a jury in a criminal prosecution, that is "only collateral, not in issue, nor necessary in the conclusion."

5thly, Because it is not (nor ought to be) competent for the prosecutor to produce any evidence to support any matter that is not charged in the indictment; that is to say, distinctly and precisely charged, and not by mere epithets or general words, such as oppression, sedition, vexation, or the like.

6thly, Because in like manner it is not (nor ought to be) competent for a prosecutor to produce any evidence to prove any crime to have been committed by a defendant, in any other particular than that wherein it is in the indictment expressly charged to have been committed.

7thly, Because no such proceedings as those above stated, nor any of them, can be justified under pretence, that "if it had been necessary to specify in the indictment all the facts against the defendant, the indictment would have covered, by its magnitude, the walls of the Court." And

8thly, Because in one year of the trial of Warren Hastings, Esquire, namely, in the year one thousand seven hundred and ninety, there were no less than four decisions of the House of Lords upon this subject, *viz.* on the twenty-fifth day of February, when the Lords resolved,

"That the Managers for the Commons be not admitted to give evidence of the unfitness of Kellaram for the appointment of being a renter of certain lands in the province of Bahar; the fact of such unfitness of the said Kellaram not being charged in the impeachment."

And again on the 4th day of May, when the Lords decided,

"That it is not competent to the Managers for the Commons to put the following question to the witness upon the seventh article of charge, *viz.*—Whether more oppressions did actually exist under the new institution than under the old?"

And again on the 18th day of May, when the House of Lords resolved,

"That it is not competent to the Managers for the Commons to give evidence of the enormities actually committed by Deby Sing; the same not being charged in the impeachment."

And again on the 2d day of June, when the Lords resolved,

"That it is not competent for the Managers on the part of the Commons to give any evidence upon the seventh article of the impeachment, to prove that the letter of the 5th of

May 1781, is false; in any other particular than that wherein it is expressly charged to be false."

The said decisions of the House of Lords are founded upon principles not peculiar to trials by impeachment. They are founded upon common sense, and on the immutable principles of justice. In Scotland those principles are peculiarly necessary to be adhered to, inasmuch as by the laws of that part of the united kingdom, a defendant is obliged to produce a complete list of all his witnesses in exculpation, the day before the trial. That alone appears to me a considerable hardship. But if, after such list is actually delivered in by the defendant, any facts (or supposed facts) not particularly set forth as crimes in the indictment, may, on the following day, for the first time, and without notice, be suddenly brought out in evidence upon the trial against the defendant; such defendant, from such an entrapping mode of trial, may be convicted, although innocent. Such proceedings (whether supported or unsupported by any old Scotch statute passed in arbitrary times) ought, I conceive, to be revised. For, in a free country, there ought not to be one mode of administering justice to one man, namely, to Mr. Hastings, and an opposite mode of administering justice to another man, namely, to Mr. Muir.

STANHOPE.

HOUSE OF COMMONS.

FRIDAY, *January 31.*

TREATY WITH THE KING OF SARDINIA.

The Order of the Day being read for the House to resolve itself into a Committee of Supply, the Chancellor of the Exchequer moved, that the Treaty between his Britannic Majesty and the King of Sardinia be referred to the said Committee.

Mr. Fox said, the first time he read over the Treaty then before the Committee, he was a good deal surprised at its contents; he had read it over again and again, and his surprise had increased every time he perused it. He considered the treaty to be such as his duty to his constituents did not permit him to assent to without offering some observations, and receiving a satisfactory answer to those observations. He had never conceived, that it could be wise to enter into any treaty by which we were to receive nothing, and to give every thing; or to bind ourselves to maintain a perpetual war for the benefit of the party with whom we contracted, without some-
thing

thing stipulated in our favour that might be deemed an equivalent for so hazardous an engagement. When he looked at the treaty, he should have supposed that the King of Sardinia had it then in his power to have put us in possession of the port of Nice, or to have afforded us an easy passage into France through his territory of Savoy. These, indeed, would have been advantages for which we ought to have given something in return; because, under certain circumstances, they might have contributed much to the facility of carrying on a war with France. But when he recollected the circumstances under which the treaty was made, he found that the King of Sardinia had lost Nice, and that Savoy was over-run before we thought of entering into any negotiation on the subject. He admitted that the assistance of the King of Sardinia might possibly be useful in the prosecution of the war; but in obtaining assistance we ought to estimate the benefits on either party, as well what we gave as what was to be given us. By this treaty the King of Sardinia was bound only to maintain 50,000 men, and for what purpose? Merely for the defence of his own territories. If we had expected any thing more of him, we should find ourselves miserably disappointed; for that part of France which was justly supposed to have been the most averse to the present reigning system in Paris, and therefore the most likely to enter into our views, far from receiving any support from the King of Sardinia, had been left to pay the forfeit of what the Convention called treason to the Republic. What then did we gain by this treaty, in stipulation or in fact?—That the King of Sardinia should keep up a force to defend his own territories. What did we engage to perform?—Not only to pay a subsidy of 200,000*l.* a year in aid of maintaining this force, but to restore to the King of Sardinia all those territories which the French had wrested from him, while we were sitting by tame and quiet spectators, and boasting of our neutrality. Unless we could afford to make war for ever; unless we supposed ourselves exempted from the ordinary vicissitudes of human affairs, we might be reduced to purchase peace by great sacrifices on our part, in order to make good our engagements with the King of Sardinia, or to subject ourselves to the reproach of breach of faith, by making peace without obtaining the restoration of his territories. One would have thought that for all this the King of Sardinia was to do something of equal importance for us; but in the treaty an equivalent would be looked for in vain. We were not only to pay him for keeping up a force to defend the territories he had still remaining, but bound ourselves

selves not to make peace without restoring to him the territories he had lost.

For the sake of argument, Mr. Fox said, he would admit that the restoration of Savoy to the King of Sardinia was necessary to the balance of Europe, and that no peace ought to be made with France but upon that condition. Why, even in that case, fetter ourselves with an engagement which we could not possibly know that we should be able to fulfil? When the time of treating for peace came, with how much more advantage, and how much more honour to ourselves, should we not have been enabled to treat, without the clog of this convention upon us? Then might the minister have said with an air of dignity, "The King of Sardinia is not to be oppressed because he is weak. In all the transactions of nations, justice is to be regarded as well as power. The restoration of Savoy is demanded by justice, and essential to the future tranquillity of Europe. We shall listen to no propositions for peace of which this is not a preliminary."—With how much more advantage and honour might we thus have stipulated for the restoration of Savoy, if this miserable treaty had never been made? We should then have stood forward as the protectors of the weak, and the defenders of the balance of power. Now, we had not given, but sold our assistance to the King of Sardinia—and sold it for what? For nothing. Ministers having done this, and the House having sanctioned it, they were next to call upon the people of England to pay a subsidy of 200,000*l*. He knew, Mr. Fox said, that in every war to be carried on by a confederacy, the weaker powers whom we engaged in that confederacy must be paid by us: But we were not certainly to pay them all; nor those whom we did, for defending themselves? Did we suppose, on the present occasion, that the King of Sardinia had no inclination to defend his own dominions? If we did, our money should have been asked for as a grant, not as a stipulation, which was to involve us in difficulties of a thousand times more consequence than the value of our money. We could not, however, suppose that the King of Sardinia was not inclined to defend himself, without our paying for it. Our treaty, therefore, was not a purchase, for we did not buy the King of Sardinia's inclination; nor was it a gift, for we, the givers, came under an obligation to the party to whom we gave. It might be said, that the treaty bound the King of Sardinia to continue the war as long as we might think fit, even after he himself might wish to conclude it. If this was what we had gained by the treaty, would not the neutrality of the King of Sardinia

Sardinia have been far more beneficial, and far less embarrassing? It would not be argued that there was any chance of a separate peace between the King of Sardinia and France; or that the King of Sardinia had any prospect of recovering Nice and Savoy, without our assistance. What then had we done? If the recovering of his territories was of more importance to the King of Sardinia, than it could be to us, we had given a subsidy, where we ought to have received one.

He should perhaps be told, Mr. Fox said, that the treaty being concluded by his Majesty, the proper representative of the country in all transactions with foreign powers, the House could not refuse to ratify it, without subjecting themselves to the imputation of a breach of faith. This doctrine he must peremptorily deny. If the House was considered as bound to make good every treaty which his Majesty, by the advice of his ministers, might think proper to conclude, there was a complete surrender of the public purse to the executive power. He concluded with observing, that having thus briefly stated his objections to the treaty with the King of Sardinia, the other treaties, particularly that with his Sicilian Majesty, were not to be considered as having his approbation, because he did not state his objections to them at the same time.

Mr. Powis said, the nation being engaged in a contest of such material interest to every friend to order and civilization in Europe, it behoved the minister to have recourse to such measures as were most likely to bring the war to a safe and honourable conclusion. He had heard with surprise on a former occasion, the treaty with the King of Sardinia called unprecedented and iniquitous. The epithet, *unprecedented*, applied by the Right Hon. Gentleman, so fond of harsh epithets, was now abandoned. It was natural for the Right Hon. Gentleman, and those who like him opposed the principle of the war, to oppose also every measure that could contribute to its success. On the contrary, he who thought that our commerce, our constitution, our liberty and religion, depended on the vigorous prosecution of the war, could not oppose any treaty or convention that seemed to him likely to render it successful. To prove that the treaty was not unprecedented, he appealed to former treaties with the King of Sardinia, and with Portugal, several articles of which he desired to have read, in particular certain articles contained in the treaty of Worms, between England, Hungary, and Sardinia, in which the last power was subsidized by this country, and in which he contended the 6th and 7th articles corresponded with the 1st; the 8th with the 2d; and the 12th with the 3d, in the present treaty. In the treaty likewise concluded between this country and Sardinia,
in

in 1703, upon the war on the Spanish succession, the latter was subsidized by us, and to exactly the same amount. Upon the former of these treaties he should only observe, that it was signed on our parts by the cabinet of that day, by men whose memories stood highest in estimation at that time for talents and integrity; and also that it met with the concurrence of that House without opposition, or even debate. When, by the treaty of 1704, we obtained the accession of the King of Sardinia to the grand alliance, the war then depending was of the same nature with that in which we were now engaged. We were fighting for our independence as a nation, and for the tranquillity and liberties of Europe. Compare the dangers with which we were threatened by the ambition of Louis XIV. with those which we had to dread from the present rulers of France, men whom he knew not how to class, whom he could not dignify with the name of barbarians, who were allied to civilized nations only by their vices.—Compare our present dangers with our former, and see how much greater ought to be our exertions. So striking was the difference, that in the present war of necessity, he would say, let those who can furnish money, furnish money; let those who had men, send them; let those who possess ships, supply them; and let every man exert himself in support of the common cause in which we were engaged. With respect to the policy of the treaty, it appeared to him to be amply justified on that ground; since he had ever considered it to be an essential part of the policy of all nations, that in a war of defence assistance was to be obtained wherever and however it could be had; and that those of whom we received assistance were to be assisted in return. Might we not then in any instance commute succours in money for succours in men? The subsidy granted to the King of Sardinia was not for his own defence only, but for the general purposes of the war. In this point of view it appeared to be understood, for, if he was not mistaken, the Sardinian troops sent to Toulon were held to be paid for by the subsidy. If he even felt the conditions of the treaty to be less advantageous to this country than they ought to have been, yet while he felt the necessity of supporting the war, he would not oppose referring it to the committee. He held the right of Parliament to refuse supplies as high as any man; but to refuse the sanction of the House to this treaty would be, in his opinion, to loosen the bands of the combination now so fortunately formed to resist the madness and anarchy of France. To dissolve this combination might suit the views of those who thought that we had no interest in what was passing on the continent, and that the narrow channel by which we were divided from it was

a suf-

a sufficient protection. Conceiving, however, that the war was necessary, that our security and all we possessed depended on its success, Mr. Powis said, he should vote for sending the treaty to a committee.

Mr. Ryder apologized for rising to claim the attention of the House, after the observations, which he intended to submit to their candour, had been in a great measure anticipated by the Honourable Gentleman who had just sat down; but as he might possibly suggest some new ideas on the subject, he would take the liberty of proceeding. Accustomed as he had been to the great profusion of epithets from the Right Honourable Gentleman (Mr. Fox), he did not expect to hear the word *unprecedented* applied to the treaty with the King of Sardinia. If the Right Honourable Gentleman had taken the trouble of consulting former treaties, he would have found in them every article which he stated to be objectionable in this. Treaties supported by the first statesmen this country ever saw, or Europe ever gloried in, were not to be stigmatized as unprecedented or iniquitous. In every war with France, the alliance of the King of Sardinia had been considered as of the utmost importance, and had been entered into in the reigns of King William, Queen Anne, and his late Majesty, and the articles of the present treaty would be found to be precisely the same with the articles of the former treaties in the reigns he had mentioned. If it ever had been our interest in any former war to prevent the conquest of his territories by France, was it not much more so now? was there nothing in the French possessing themselves of the rich country of the Milanese, and thence drawing supplies which might enable them to over-run all the Italian States? The King of Sardinia had made very meritorious, although not very successful, exertions for the recovery of his territories, and had occasioned a very important diversion of the forces of the common enemy. Although it was undoubtedly his inclination to defend himself, it was our duty to enable him to do so effectually. The whole question, then, to be debated was, whether or not 200,000*l.* was too large a sum? or, would any man contend that we should rather force the King of Sardinia to be subsidized by other powers?—Was it not notorious that his revenues are but scanty; his troops few, and those, for want of habit, not over-charged with military spirit? The sum likewise which we now pay was made a matter of objection; and yet, by the treaty of 1703, we paid 160,000*l.* for keeping up only 15,000 men; and in 1743 we paid the same sum as now, 200,000*l.* when only 45,000 men were stipulated for; whereas now we had 50,000. The only question being, as he conceived, upon the probability of success attending

tendant on the exertions made, it was fair to say, that if the subsidy paid to the King of Sardinia should appear more to further the attainment of that success, than if the same sum were laid out in any other way, that subsidy would in fact be an act of œconomy. He admitted that supplies for carrying on a war must press hard on the peasantry; but, while he lamented the truth of the argument, he must observe that it was as applicable to every other war as to this. The true question to be considered was, shall we make every exertion of our own, and draw all possible assistance from every other power we can bring on the head of France, in a war the most important of any in which we ever were engaged? If, when 85,000 seamen were voted the other day, 5000 more had been asked for, would any man have objected to the addition? Certainly not. Yet a 200,000*l.* subsidy to the King of Sardinia, did not exceed the expence of 5000 additional seamen, and the assistance obtained by it was more effectual. With respect to the stipulation that peace should not be concluded, without the restoration of all the territories of the contracting parties, it was the practice in every such treaty. If we were not bound by treaty, we should be bound by policy, to prevent France from multiplying her ports in the Mediterranean, by keeping possession of Ville Franche and Nice. Besides, we were already bound by the treaty with Naples to maintain a naval force in that quarter. If we should bring France to negotiate for peace with a government, considering itself under obligations to the combined powers; or if we should compel the present anarchy of France to sue for peace, would not Nice and Savoy in either case be restored? If unfortunately we should be obliged to treat on other terms than security for the balance of power, all security for our own tranquillity must vanish (a circumstance which he deprecated); but under such circumstances the King of Sardinia would neither be able or willing to carry on the war, nor was it at all likely that he would desire the continuance of it on our part. Whether, therefore, we were successful or unsuccessful, our stipulations to the King of Sardinia could not militate against our interests; and until Gentlemen should think proper to prefer a delusive repose to a prospect of security by vigorous exertion, he trusted the treaty would be agreed to.

Mr. Grey said, he rose rather to obviate a misconception of what had fallen from his Right Hon. Friend, on which Gentlemen on the other side frequently chose to debate, than with any hope of enforcing the arguments already advanced against the treaty by additional reasoning upon the subject. Neither his Right Hon. Friend, nor those who acted with him, had offered any opposition to giving energy to prosecute the war, if

it were to be prosecuted; they did not therefore wish to be considered as "useless opposers"—a light in which the Hon. Gentleman who spoke last but one, had thought proper to hold them up. The question then to be debated was, "Was this a treaty calculated to give energy to the war?" He denied that his Right Hon. Friend had used the epithet, "unprecedented;" but if his Right Hon. Friend had used that epithet, he must, Mr. Grey said, hear many more circumstances, than had yet been stated, before he could think that it did not apply, as well as the epithets *absurd* and *iniquitous*. To prove any resemblance in point of precedent between this and former treaties, it must be proved that they were concluded under circumstances nearly similar. All the arguments of Gentlemen on the other side had proceeded on the presumption that they were so. At the time of concluding one of the treaties referred to (1703), instead of finding the King of Sardinia actually engaged in a war with France, and part of his territories taken from him, we found him the ally of France, and gave him the terms stipulated in that treaty to withdraw him from France. The terms stipulated, therefore, might properly be considered as the price of breaking his alliance with France, and taking part with us. In default of other argument, the favourite topic was resorted to, which, as had been justly said, made men's passions instruct their reason; and the House was told that the anarchy of France was more dangerous than the ambition of Louis XIV. What was the nature of our contest with that monarch? A contest for our constitution and our liberty, for the political existence and the independence of every state in Europe. What more could our contest be now? At the time of concluding the treaty of Worms, the King of Sardinia was engaged in war, and had lost part of his dominions. To that treaty, however, the Queen of Hungary, our ally, was a party. Did it appear that our present allies were parties to the present treaty? If the precedent were as apt as Gentlemen could desire, did it follow, that a bad treaty concluded then, would justify concluding a bad treaty now? One difference between the two treaties was striking; in the former, there were three contracting powers; in the present, two only. Admitting, then, that, for the preservation of the balance of power, it were necessary to preserve Sardinia entire, we should apply, not to Sardinia, but to other powers. Had we so done in the present instance, there had been a greater similarity between the two treaties. He admitted that Savoy ought to be recovered for the King of Sardinia, But this ought to be made a general object of the confederacy against France, as was done by the treaty of Worms. The other

combined powers might have concurred with us in this object; but this did not appear by any information of which the House was in possession, and until he was assured of it he must consider the present treaty as iniquitous and absurd. Was it necessary to give all that was given by the treaty to the King of Sardinia, to induce him to join the grand alliance? If it was necessary, he should still complain that in giving it we bound ourselves down to terms injurious to our own interests. It certainly was something singular, that those ministers who saw Savoy taken from the King of Sardinia, and who, after it was taken, boasted of their neutrality, and had been ready to treat with the French after its conquest, without mentioning it (as was evident from the correspondence between Lord Grenville and Monsieur Chauvelin), now come forward, and talk of its importance, after they have prevailed on the King of Sardinia to accept of a subsidy, coupled with a stipulation that it should be recovered, and demand the assent of the House to their treaty. It had been deemed common-place, Mr. Grey said, to speak of the expence; but he for one, although he did not grudge the 200,000l. a year, would not agree to take a shilling out of the pockets of his constituents, already burdened more than at any former period, to make good a treaty concluded without a due regard to the benefits they were to receive in return for the stipulations they had entered into.

Mr. Canning * rose, for the first time, to deliver his sentiments in that House. He began with observing, that if the question were to be argued on the mere narrow ground of taking the treaty into consideration abstractedly, and discussing it upon its abstract merits, he should certainly have left it in other and abler hands; but the treaty having a much more extensive reference, and being to be considered, not as a mere mercantile transaction, in which the exact proportion of profit and loss of what was to be given, and what gained, were to be minutely balanced; he trusted he should be excused for presuming to offer himself to the attention of the House. Looking at the treaty itself, there were but two possible objections could be made to it; the one was, that under all existing circumstances it ought not to be made at all, and therefore could not possibly be right; the other, that on com-

* Mr. Canning was educated at Eton, at the same time as the Hon. J. B. Jenkinson, with whom he has always lived in habits of the greatest intimacy; and it is said, he has been brought into Parliament through Mr. Jenkinson's interest. Mr. Canning is the young gentleman on whose promising talents and abilities Mr. Sheridan passed so warm and elegant an eulogium two sessions since, in the course of the debate in which Mr. Jenkinson impressed the House of Commons so forcibly by the eloquence and knowledge displayed in his first speech in Parliament.

paring it with similar treaties that preceded it, it must be deemed bad, inasmuch as it proposed a greater price for similar advantages, or accepted of a less return for a similar reward. Upon the first of these grounds, he had not heard any Gentleman attempt to rely, and therefore it was wholly unnecessary for him to offer any argument in its support. With respect to the second objection, he had been at some pains in comparing the present with preceding treaties, and he was free to confess he was unable to discover those defects so strongly insisted on. He was ready to admit, that the treaty of Worms was not exactly similar in principle; but there was one treaty as yet untouched upon, which, he conceived, would in the most complete manner meet every principle upon which the present was founded. He alluded to the treaty of 1758, concluded between this country and the then King of Prussia; who, in the midst of a war, in which he was involved, was actually subsidized by us to the amount of 670,000*l.* per annum, and the grounds upon which this subsidy was expressly stated to be granted, were these three: That he was oppressed by enemies, who had attacked him on all sides; that he was in appearance unable to resist them; and that his overthrow would be destructive to the balance of power in Europe: Here then was a precedent, establishing both the principle and fact upon which the present treaty was founded; a precedent which, it must be remembered, was carried not only without opposition, but with triumph, through that House, and received the united suffrage of the whole nation. The question then was concerning the balance of power, and how far it was connected with the necessity of granting that subsidy. He would ask whether this question was more likely to avail in taking the money out of the pockets of our ignorant peasantry, than that which concerned their dearest interests, and on which depended their very existence? Could it have been stated to them, that the balance of power depended on their putting their hands in their pockets to assist a man comparatively as poor as themselves; or was it likely that they should understand the subject better, than when told, that in subsidizing the King of Sardinia, they were contributing to their immediate preservation? It having been admitted, on all hands, that the King of Sardinia was too poor, and too impotent, to carry on the war alone; the question was, whether we should support him, or whether inasmuch as it was supposed the Earl of Yarmouth had negotiated best because he had cost us nothing, so we were to suppose the King of Sardinia would fight the better because he was left unpaid? He did not mean any personal disrespect to the Right Hon. Gentleman to whom he alluded; but, according to his argument,

ment, even the King of Sardinia ought to subsidize us: That is, finding that power weaker, and less able to defend herself than the rest of our allies, we should have said to her, "You shall fight, and pay us for just doing nothing at all but looking on." This precedent tending then evidently to justify the present treaty, both in principle and fact, the only possible objections that could be stated against it, Mr. Canning said, must arise from the war itself. Upon this head, not having the honour of a seat in that House at the commencement of the war, he begged their indulgence while he stated the grounds upon which he wished to give a decided voice in favour of the principles and necessity upon which that war was grounded.

Mr. Canning in this part of his speech justified the vote he meant to give, by an able and succinct recapitulation of the arguments which were last session urged by the Chancellor of the Exchequer, and other members of both Houses, in support of the necessity of the war, and the evils it was hoped it would avert; which, if not resisted effectually, would make Great Britain a scene of the same anarchy and irreligion, that at present rendered France a field of horror and bloodshed. Among other striking points in this part of Mr. Canning's speech, one was his remark, that, had it not been for the war, some Corresponding Revolution Society might possibly have been sitting on the benches of the House; or instead of debating on a treaty of alliance, they might have been debating on the means of raising a forced loan, demanded by some proconsular deputy from the French Convention. He had lately come, he said, from among the people, where he had seen the utmost unanimity for prosecuting the war; and when he came among their representatives, he was happy to find that their sentiments were, as they ought to be, in unison with those of their constituents. He concluded a very masterly maiden speech, with declaring, that considering the treaty as an essential part of an extensive system, for bringing the war to a fortunate conclusion, it should have his support.

Mr. Stanley rose, as a country gentleman, to hint at their sentiments and to state his own. He said, he approved of the treaty, and should have done so if the subsidy had been doubled. He approved of the war; but, with many other country gentlemen who had given it their zealous support, thought it had not been conducted with sufficient vigour. He entreated the minister to keep a watchful eye over the several departments of office under him: If ever an honourable and disinterested support was given to any minister, it had been given to the Chancellor of the Exchequer for the last four years. Let him shew himself worthy of that support: Let him shew himself the son of Chatham. He did not think, however, that there

had

had been a want of energy in some of the official departments; and feeling as he did for the honour of the British arms, he hoped in future to see equal exertion and spirit manifested by all, for it was not a time for England to be idle. Peace he thought at present impossible, because we were engaged with enemies who envied us our constitution, our religion, our liberty, our property, and every thing we possessed.

Mr. Fox said, in explanation, that although he had never applied the epithet "unprecedented" to the treaty, he had no objection to adopt it, unless some precedent could be adduced more in point than any he had yet heard. When the treaty of Worms was concluded, the King of Sardinia was literally balancing between the two contending parties, and the terms agreed upon were the price of his declaring for us. The other treaty was also equally dissimilar from the present: By the terms of that treaty, we gave every thing to receive nothing; and bound ourselves by stipulations, the eventful consequences of which might prove highly injurious to our interests.

Mr. Milbank said a few words in favour of the treaty.

Mr. Alderman Newnham said, that those with whom he had acted in former Parliaments, as well as others in that House, knew, that at the commencement of the present war, he had not an opportunity of delivering his sentiments on the general situation of this country in that House, not at that time having the honour of a seat in it, but he thought it his duty to take that opportunity of doing so. He confessed that he came under the description of what some considered a ludicrous character. He was what was called an Alarmist, at the commencement of the French contest: He was so still, and the war in its origin appeared to him to be, if not an unavoidable, indisputably a necessary one, and therefore he was an alarmist; and with that impression as to the war itself, and being apprehensive that great inconvenience must arise to this country from the success of France under the present system of its rulers, he felt it his duty to say, it was his intention in the most determined manner to support the minister in carrying on the war, and he trusted it would be conducted in the best manner that might conduce to the honour and advantage of this country. To Gentlemen with whom he had for a long time acted on political questions, he was willing to give the fullest credit generally for the purity of their motives; and he had no doubt but their conduct still was the result of their real opinions; but he could no longer act with them upon the present crisis. He hoped the exertions of this country would be made to the utmost of its power, to carry on the present war; for he
appre-

apprehended, that if we did not proceed with the utmost vigour, we might expect an invasion of our island.

The Alderman said, he had heard doubts entertained of the legality and propriety of the manner in which the Hessian troops had been landed in this country: He thought it a matter highly necessary, and therefore laudable. So far was he from feeling any uneasiness on this occasion, that he rejoiced at it; and he hoped that more of them, or other foreign troops, would come here, for they might all be wanted for the protection of England against an invasion. He did not call upon the minister to explain the reason why these Hessian troops were landed here: No doubt he had a good reason for it, and possibly that might be an apprehension of invasion. He hoped they should all join and concur in opinion on the propriety of doing every thing in public and in private to support the war, to the utmost of the power of every man in the country. The present war was certainly distinct and different from every other war we had ever been engaged in; it was a war for the protection of all civil society: The Alderman declared, therefore that he should vote for the minister, in order to support it; and he trusted it would be conducted wisely, till it should be brought to a happy and honourable termination.

The question for referring the treaty between his Majesty and the King of Sardinia to a Committee of Supply, was put and carried: As was also a loan, to be raised by Exchequer bills.

The House then immediately resolved itself into a committee of the whole House, to consider of a supply to be granted to his Majesty; and the resolution for allowing his Majesty the sum of two hundred thousand pounds, to enable his Majesty to make good his engagement with the King of Sardinia, passed immediately.

Mr. Yorke put a short question to the minister, and the substance of the answer given by the Chancellor of the Exchequer was, That in the course of a long and laborious campaign, the force of the King of Sardinia had been considerably diminished, but his Sardinian Majesty had most unquestionably made very considerable exertions on his part for the common cause.

The Chancellor of the Exchequer then moved two resolutions, to allow his Majesty four millions five hundred thousand pounds for the present year, by loan on Exchequer bills; which were put and carried.

The report was ordered to be received.

CONFISCATION OF THE PROPERTY OF FOREIGNERS IN FRANCE.

The House being resumed,

The Chancellor of the Exchequer desired their most serious attention. He said,

That a circumstance had come that day to his knowledge, from authority on which he had reason to rely, which from its very singular nature he thought it his duty at that moment to submit to the consideration of the House, because it was of so urgent a kind as to require immediate attention. He had received intelligence which he might consider as authentic, that the French Convention had verified in point of fact, what some time ago existed in this country as a rumour, not wholly credited at that time, but what was agreeable to the general system of French finance, and had actually passed a decree, That all persons without distinction, having any property in France, being foreigners, and all persons in France having property in foreign funds, shall give an account of it within a certain time, which, according to the fashionable jargon of that country, was to be put in a state of requisition. The whole property of every individual, from every country, holding any property in foreign funds, was to be taken into their hands immediately, and the proprietors were to be compelled to take in lieu of it their assignats in payment at par. And all the bankers and monied men are bound, within a day, to give in an account of the property in their hands, and also to declare the names and descriptions of all other persons who, to their knowledge, have, or are entitled to, any such property within a certain time, to be disposed of in the same way. Having heard this, he considered it as matter of great importance, and therefore he stated it in this manner now. Gentlemen would feel the nature of the subject to be pressing, and would therefore turn it in their minds. He could not state it precisely enough for the House to rely on the whole of it, and he could not now say more than that he felt it his duty to give this general information. The novelty and the delicacy of the subject were obvious to him, and he was sure, to them all. If upon consideration of the subject it should appear necessary for the House to take any measure with reference to this, it must be important in every point of view to do it without delay. But whatever steps were adopted, they might lose their effect if not adopted immediately. He might not be able to submit any thing the next day, but these circumstances being in their possession, and this information being laid before them, he should beg permission of the House, to avoid further trouble and protraction, to adjourn until next day, in order

that in the course of twenty-four hours Gentlemen might turn the subject in their minds, and then meet and take it into consideration on the Report of the Committee of Supply.

The question on receiving the Report of the Committee of Supply next day was then put and carried.

The House, on motion, agreed to go into a Committee of Supply on Monday.

ACCOUNTS OF SALARIES, &c.

Mr. Sheridan asked the Chancellor of the Exchequer whether he had any objection to the papers laid that day before the House, moved for by him on a former day, and relating to the different salaries and emoluments of different officers appointed during the present war, being printed? And whether the same salaries were given to General O'Hara and Lord Hood, as to Sir Gilbert Elliot?

The Chancellor of the Exchequer said, that neither General O'Hara nor Lord Hood were to have any salaries for their appointments at Toulon, nor any farther emoluments on that account. He had no objection to having the papers alluded to printed.

They were ordered to be printed accordingly.

Lord Yarmouth professed himself anxious to explain a matter that might be misconceived; it referred to the account he had given the House a few nights since of the expences of his foreign embassy. It was not his intention to have said one word more than he had said on the subject of his mission to the King of Prussia, had it not been necessary, for the reason he had stated. There were some sums of money which he was directed to employ upon other services, such as estafettes, &c. besides the money expended on his mission. The whole amounted to 1500*l.*; he had said on a former day he had laid out only a few hundreds. All that he claimed was 800*l.* or 900*l.* The other was a distinct sum, which he was directed to employ in other services. His only purpose in stating these points to the House was, to verify the assertions he had already made, and he trusted the House would not be dissatisfied with this explanation. He begged leave to state also, what had been granted on precisely the same service to Sir Andrew Mitchel, whom he was obliged to follow, the King of Prussia being then at the head of his army. In the course of the last war, 1200*l.* was granted to him, and 3000*l.* afterwards for performing that service. His Lordship said he did not claim any degree of merit to himself, for this difference between him
and

and Sir Andrew Mitchel. The approbation of his Majesty for his service had made an impression on his mind, sufficiently satisfactory.

FRENCH OFFICERS.

*Major Maitland** said, he had reason to suppose that there were French officers upon the establishment of the staff, under the Earl of Moira.

The Chancellor of the Exchequer said, he believed there were some meritorious men of that description with his Lordship, from attachment to his Lordship and the cause in which he was engaged; but what their offices were, or what their pay was, he did not know.

Major Maitland said, that, however meritorious these Gentlemen might be, he conceived it to be perfectly illegal, that they should receive pay of this country when at war with France.

Mr. Secretary Dundas was of opinion, that an exceeding good reason might be assigned for the employment of those officers. If any thing was moved upon this subject, he would be ready to answer it the next day.

Mr. Whitbread said, it was singular enough, that a practice stated by his Honourable Friend to be illegal, should not be answered by the ministers, nor even properly recollected by them; they scarcely seemed to know whether the facts were or were not as stated, or they might have given a plain answer to a plain question.

Mr. Secretary Dundas said, he could not blame himself for not recollecting a circumstance, which until that hour he had never heard a word of.

Major Maitland then said, as the House was to meet next day, he would then make a motion on the subject.

NAVY.

Mr. Hobart brought up the Report of the Committee of Supply.

The Resolution for granting to his Majesty for the naval service of the present year, eighty-five thousand men, including twelve thousand one hundred and fifteen marines, being read a first time, and the question being put for the second reading,

* Brother to the Earl of Lauderdale, a Major in the army, and has served in India, from whence he returned a few years ago, and came almost immediately into Parliament, and has supported the Opposition uniformly from that time to this.

Mr. Hussy said, he did not rise to give opposition to the Resolution before the House; on the contrary, it had his hearty concurrence; but his object was to know whether it was really intended, that the whole of the eighty-five thousand should be *borne and mustered* with all convenient speed. He wished to have some assurance that by all proper means the navy would be increased as much as possible. He had for some time had it under consideration, whether he should say any thing or not upon the subject, being strongly convinced of the propriety of strengthening our navy. The honour of this country, and every thing great and dear to us in it, depended upon its strength. He had heard it said by an Hon. Gentleman [*Mr. Ryder*], if they were asked for an addition of five thousand to the eighty-five thousand already voted, instead of granting two hundred thousand pounds subsidy to the King of Sardinia, it would have been granted. He agreed in this observation, for he must plainly say he could not help thinking that five thousand men added to our navy, would be of infinitely more service to us than any exertion of the King of Sardinia. If peace was to be obtained (and no man wished for it more than himself) upon safe and honourable terms, it was to be procured by the exertions of our navy; for the security of this country depended upon our navy, and if this augmentation could be made, he thought it ought to be done. Every good man must wish it to be done. It was painful to him to speak at all upon such a subject—but this was not a time to be silent. Every man ought to come forward and state his anxiety. Our naval force was great; we were at this time contending with one power only, with France. Were we sure we should have no more to contend with?—It was possible we should, and for his part he thought it probable; he had great apprehensions on that account.

Admiral Gardner rose to reply to what had fallen from *Mr. Hussy*. He declared that he saw no reason why he should not answer the question that the Hon. Gentleman had put. There were at this present time from seventy to seventy-five thousand men *borne and mustered*, and what was wanting of the complement voted, would be completed as soon as possible; the exertions in that department were greater than had been ever known before; the ships were fitted out and completed faster than we could man them, a circumstance which had never occurred at any former period. With respect to what had been said upon the subject of convoys upon a former night, he had some documents, which would fully convince the House, that the neglect imputed to the Board of Admiralty had been founded in mistake. With regard to the

Baltic

Baltic trade, he read the Minutes of the Admiralty, stating what convoys had been applied for, when sent, with what ships, and with what ships they returned; that, while under convoy, not one single vessel had been lost; but that part of one convoy, under protection of the *Lizard*, had not obeyed the usual signals, but separated from the fleet, and of this circumstance, giving the names of the vessels disobeying the Captain of the *Lizard*, complaint was made at the Admiralty; but no complaint had been made on the part of the merchants concerned in that trade. With regard to the Quebec fleet, the second ground of complaint against the Admiralty, he stated, that application had been made by the merchants to appoint a convoy to meet the fleet at the Isle of Bic before the 8th of September; upon this duty the *Melampus* was ordered, but afterwards changed for the *Arethusa*, which arrived at the appointed place before the time appointed; but the fleet had failed before her arrival; and if any of them were taken, it could by no means be imputed to any neglect at the Board of Admiralty. The second convoy from Quebec was by the *Severn*, who waited for the trade, at the request of the merchants, till after the 25th of October, which was the occasion of the merchants being obliged to pay double insurance; the event of this was, that the fleet at that time failed under her convoy; that part of it bound for Spain and Portugal by desire parted from the convoy in a certain latitude, and from the other part the *Severn* was separated by a violent storm, in which the danger was so great as to render it necessary to throw part of her guns overboard to save her. In this case, there was no ship taken, while under convoy. The other complaint was the delay of convoys; he stated that the West India trade, the principal of it at least, had failed under convoy according to appointment, the 2d of May; but that some time after application was made, not in the regular manner through the Chairman of the Committee of West India merchants, but by some individual, for a convoy for a part of the trade, as a matter of favour, and out of the usual way; it was nevertheless complied with; and the reason of their being detained so late as August, was to avoid the danger of arriving in the West Indies just at the time of the hurricanes; so that in no case had the contradiction to the statement made by his Right Hon. Friend (Mr. Dundas) been made out.

Mr. Fox said, he did not pretend to know where the blame was due, but that as it was his intention to inquire more minutely into the subject, at present he only wished to know if he understood the Hon. Admiral in his several statements. With respect to the Baltic fleet, he maintained what he had formerly

formerly stated and asserted, that the fact which he had charged had been by no means contradicted; viz. That a fleet sailed from Elsinour or some other port, he was not certain, under the convoy of a ship of war; the ship came home without the trade, fifteen or sixteen of which were taken and carried into some of the ports of Norway. As to the Quebec fleet, the fact he had stated, and that stated by the Hon. Admiral, might possibly both be true. He admitted a vessel had been sent to the island of Bic; but his complaint was, that the merchants of Quebec had not information of it, and that it might have been as well suffered to remain at home. The Hon. Admiral stated, that the *Arethusa* had been sent to that place at the particular request of the Quebec merchants here; but it was possible that they had neglected to inform their correspondents in Quebec. The statement made concerning the West India convoys differed in point of date from his; but the one convoy might very well have sailed the 2d of May, and another be ordered for the 15th (according to the dates which had been given to him), and delayed to the latter end of August: These were points he certainly would take an opportunity of inquiring into, and he should have done it the preceding day, had not he been taken up with other business.

The Chancellor of the Exchequer replied with some degree of warmth. He entered much at large into the history of the different fleets that had been convoyed during the present war, and justified the assertion of Mr. Dundas, respecting the general protection given to trade. He entered into a minute detail of facts, relative to the Baltic fleet, the West India fleet, and the Quebec fleet; and maintained, that in the cases of them all, there was no instance of negligence on the part of the Admiralty; he hinted, that Mr. Fox, at the time he advised the House to be on its guard against the assertion of ministers, was himself deficient in caution in what he advanced, and that the House should have as much reliance on the reputation of one party as the other. He then adverted to what he called an anonymous letter, produced on a former night by Mr. Sheridan, stating the distressed situation of Halifax, and their apprehensions of a visit from the French;—he said, his Right Honourable Friend had some documents to produce, which he trusted would convince the House, that the information conveyed to that Hon. Gentleman was unfounded. He doubted not, as his Right Hon. Friend would name his authorities, that the other Hon. Gentleman would not refuse to do the same. He was happy his Right Hon. Friend was present to do himself justice, which, as he was more competent to do, he should leave to him; had he been absent, he with pleasure would have

have undertaken his defence. He expressed some surprise that Mr. Fox should have stated as calamities, points, that turned out, many of them to be doubtful, and some not as he had represented them; by which it appeared that his information, as far as it went, was not to be relied on, for that it was contradicted by ministerial documents of undeniable authority. He enumerated them in their order, and concluded with wishing that no false impression should be made upon the public by an accusation of negligence in ministers without foundation.

Mr. Fox complained of the acrimony with which the Right Hon. Gentleman had spoken of his assertions, which he seemed to think were made without good grounds; but nothing which had been advanced, had, he declared, changed his mind on the subject, nor had it at all gone to controvert what he had asserted; he desired the Right Hon. Gentleman to come to a fair proof by evidence at the bar of the House; he said that he should certainly inquire further into the matter; and if it turned out that he had been misinformed, he would not be ashamed to apologize to such a body of men as composed that House, for taking up their time upon a light or groundless suspicion; but he insisted upon it not to be a part of his character, to take subjects up lightly, or to be ready to assert for facts, what he had not good ground for believing to be true. Such was the reliance he had upon the quarter from whence his information came, that he could almost pledge himself for the veracity of it: And he begged of the minister not to imagine, that because, by superior talents, he had in general the good fortune to convince that House, and possibly also to convince the House by other superior advantages, that he could convince the Public, or convince that House even against the evidence of facts, clearly proved. The Right Hon. Gentleman, he observed, was not content to speak on this plain subject in the rude, unpolished style which he had himself used; the Right Hon. Gentleman thought it too vulgar, or not so well calculated to persuade as the high-sounding lofty periods, in which he chose to dress his thoughts. The truth could not be altered; and upon such topics as the present, there might be as good evidence as what in pompous language was called ministerial documents.—He concluded with saying, that all he wanted was, a fair inquiry into this business.

Mr. Vaughan maintained that the West India trade had been greatly neglected with regard to convoys; there were three points in which that trade was to be considered, outward-bound, homeward-bound, and on the station: In each of these three points neglect, he said, had been manifested; the outward-bound had been delayed for want of convoys, the home-

homeward-bound had not sufficient convoys for their protection, in proportion to the magnitude of the trade and the value of their cargoes. As one instance, he cited the great West India fleet, valued at four millions, being suffered to come home under convoy of a 28-gun frigate: The Commodore on the station, it was true, had shifted his flag from on board the *Europa*, a fifty-gun ship, on board one of the prizes, and suffered her to convoy them as far as the Gulph of Florida; but from thence to England, they had no other convoy but the frigate; and on the station, so ill was the place defended, that any French armed ship might have gone into the harbours of any of the Islands, and cut out the vessels. He said that if inquiry were made at Lloyd's or on the Royal Exchange, whether our trade had been sufficiently protected or not, it would be learnt, that the merchants in general complained of want of protection to their ships and cargoes.

Mr. Alderman Anderson said, the trade to the Baltic had been better and more effectually protected, than in any former war; and that the Russian merchants, who were the principal persons concerned in the trade, were perfectly satisfied on that head. As the Right Hon. Gentleman had requested him, he had made the inquiry, and what he then asserted, was the result of it. If any vessels were lost in that trade, it was owing to the merchants themselves, for the convoys went as regular as the stage from London to Hampstead, in which, if those who wanted to go were not in time, they were left behind.

Mr. Fox explained, that the fact he wished to be informed upon, was, whether it was not a fact, that a fleet sailing from the Baltic under convoy, the vessel appointed to that duty did not return without the fleet; and whether 15 or 18 sail of them had not been taken and carried into the ports of Norway? He reminded the House that he had not said any thing with regard to the general protection of that trade. If he made any assertion with respect to it, it was, that it was protected better than any other part of the trade.

Mr. Smith said, the exertions made for the protection of the trade had been effectual, and were highly meritorious. He contended, that this country was in a worse state to protect her trade, than when we were fighting single against France, Holland, Spain, and America united.

Mr. Thornton declared, as a merchant, that he felt the trade had been sufficiently protected, and from one particular circumstance it appeared evidently so; for he was an underwriter; and so careless were the people about insuring, from an opinion their trade was not in danger from the enemy, that the business was scarcely worth following.

Mr.

Mr. Dundas expressed his concern that he had not been in the House on a former night, when the subject had been discussed, and when assertions of his had been questioned, which a plain narrative of facts would so evidently support. He said he would not enter into any discussion upon the business of convoys, as it had already been settled: He would just read to the House a simple statement of facts, from the letters of the governor of Halifax, a man of the highest probity and virtue, not recommended on account of any political connexion, but on account of his many virtues, and he wished he had many more such officers to recommend: The letters, from the 8th of January to the 3d of November, stated, that the place was in a respectable state of defence; that there were four thousand militia that could be brought together on two hours notice; and that 9160 were in the whole settlement—that these men were animated with the sincerest loyalty, and the strongest detestation of French principles—that some of them were respectable men of 100l. per ann. and upwards: that others had given security for the return of their arms, with which they were supplied out of his Majesty's stores—and that many were stated to be men who had served in the army, in good health, and fine-looking fellows. The Right Hon. Secretary contrasted this report with that conveyed in the letter produced by the Hon. Gentleman (*Mr. Sheridan*), which represented, as he had been informed, that there were but two companies of foot, two of artillery, and 300 wretched creatures called Militia. He hoped the Hon. Gentleman would have no objection to produce the letter, or give the name of his correspondent, after he had stated the name of Governor Wentworth as his author, who had in official documents given that communication, which he recited to the House, and which he trusted would be deemed a sufficient refutation of the information of an individual, however respectable, because his means of information could not be the same as that of the person entrusted with the government of the place.

Mr. Sheridan said, he felt somewhat astonished at the sort of conversation which had so unexpectedly taken place, and which he ascribed to a Rt. Hon. Gentleman, whose absence had been occasioned on a former night by a slight cold—he was glad to see that though it had occasioned his absence from the House, he had been able to employ himself since in his official capacity. He was that night so much indisposed in the same way himself, as to prevent him from troubling the House for any length of time. With regard to the letter which he had produced on the former evening, he knew of no right that the Hon. Gentleman had to pronounce it anonymous, merely, because whatever

confidence he had in the authenticity of its contents, it appeared to him improper to give the name of the author. He maintained that nothing had come out in the course of the debate, that took in the smallest degree from the degree of credit which he thought that letter entitled to. He had been called upon to produce it by one Right Hon. Gentleman, who had quoted part of it, and the arguments he had used upon it on a former night, which that Right Hon. Gentleman said he had taken down in the very words at the time; but this note, so particularly taken at the time, the Right Hon. Gentleman had forgotten to bring in his pocket, though he knew that the discussion was to be renewed that night. He could not produce the letter for the same reason, *viz.* because it was not in his pocket, but with this strong difference as to the cause, that he knew nothing at all about this question coming on. He contrasted the boasting and lofty manner in which two Right Hon. Gentlemen had defended the conduct of the Admiralty on the subject of convoys, with the plain, manly, and candid defence of the Hon. Admiral. He contended, that, from the letters produced by the Right Hon. Gentleman, it was proved that there were no fortifications, nor was the colony in any adequate state of defence, previous to the 27th of August. After commenting upon letters dated the 10th and 11th October, he remarked that the last letter which the Right Hon. Secretary admitted he had received, was dated 9th Nov. Now he begged that Gentleman would recollect, that the letter he had produced was dated 7th Dec. and wished to know really, if ministers had received no letters since, and if so, from what cause that proceeded; for notwithstanding the pompous account of 9000 militia, he had no better opinion of the force in Nova Scotia than he formerly stated: The Right Hon. Gentleman had stated, that 4000 of them were collected in Halifax, merely on an emergency, and after all the compliments heaped upon them, had said that still they had their exercise to learn, being, as they were described, freeholders and merchants. He must allow in one sense of the word that they were good men, particularly in giving security to return the arms. He contended however that nothing had been advanced either that night, or formerly, which convinced his mind, or ought to convince the country, that his former statement was not completely true: He would therefore restate it, by declaring that during the whole campaign there was not in Nova Scotia any naval strength, or any force on land adequate to the defence of that colony in the event of its being attacked; and he averred that out of doors, in Lloyd's, and at the Royal Exchange, if any inquiry was made where the best information could be obtained, it would be found to be the unanimous opinion,

opinion, that the trade and commerce of this country had not met with that protection which it ought to have done from the Admiralty. One or two Gentlemen indeed had delivered a different opinion in that House, respecting particular branches of trade, but none of them could take upon them to declare that what they said was the general sense of the London merchants. One Hon. Member had taken a curious way to prove the efficacy of the protection given to our trade by the Admiralty, when he stated that by under-writing he had made more last year than by all the other branches of trade, extensive as they were, in which he was engaged. Now the fair inference to be drawn from this, was exactly the reverse; and it became a censure upon the party that it was intended to panegyrisse, because nothing could be more true, than that in proportion to the greatness of the risk, the advance of premium rose, and thus all the double premiums, which the Hon. Gentleman had gained by under-writing, were occasioned by the inadequacy of the protection of convoys which our trade had experienced. He was surprised to hear Gentlemen compare our situation at the commencement of the American war, with our situation at the beginning of the present war. Then we had to contend with many and great powers, whereas now we had all Europe as our allies against one power. Even our good ally the Empress of Russia, upon this occasion, has bound herself by solemn treaties never to lay down her arms till Great Britain had made peace, though by the way she had never yet taken up arms in the business. As to what had been said of our captures at sea, he believed it would be found that France had taken as many ships from us as we have taken from them.

Earl Wycombe declared he had heard nothing that tended to refute the arguments he and other Gentlemen had used on the former night; and he said he gave considerable credit to the information contained in the letter of the 7th of December, which Mr. Sheridan had produced. He acknowledged he was astonished to learn the great exertions which had been made to establish a militia in Nova Scotia, but at the same time he considered the keeping up such a militia as highly detrimental to the industry, and of course the prosperity of the colony. The noble Lord, with great knowledge of that colony, represented the effects of obliging the Quakers, who were the most useful and industrious part of the inhabitants, to quit their situation, and likewise stated the inconvenience and loss that had arisen from sending negroes from thence to Sierra Leone; and concluded by reprobating any system, with regard to that colony, that could occasion expenditure.

Mr. Burke observed, that on one side of the House, official information was given, which was opposed only by a letter without a name. He paid many compliments to Governor Wentworth; and Russia having been mentioned in the debate, he observed, that that great Princess seemed to have lost much in the estimation of her former most partial admirers, which proved the inconstancy of political amours.

Mr. Grey objected to the mode in which this debate had been brought on, as irregular, and hoped, as the questions in discussion were of the highest importance, some future opportunity would occur when an inquiry respecting them might be carried on in a more proper and formal manner. The Right Hon. Gentleman who spoke last, if he got up for any purpose, certainly had risen to enter upon a defence of Governor Wentworth, when that gentleman had never in any way been attacked. That Right Hon. Gentleman pretended to dislike sarcasm; there was one species of sarcasm which he never would let pass unnoticed in that House, and which was common with that Right Hon. Gentleman, as well as some others. Russia had been mentioned in this debate, France in others, and generally accompanied by insinuations, that Gentlemen on that side of the House had partialities for this and that country. To this he would uniformly answer, that he, and those who held the opinions that he did, had no partialities but for Great Britain, and the interests of their constituents; upon this principle they had acted with regard to Russia, and with regard to France, and ever would do whenever called upon by their country to do their duty, and to defend its rights and interests. As to the inconstancy of political amours, no man had a better right to know that from experience, than the Right Hon. Gentleman, who had allowed his favourite, his wedded wife Poland, to be torn from him by the hands of proud and savage ravishers, without even a struggle to retain her. Before *Mr. Grey* sat down, he wished to have the plain answer of Yes or No from an Hon. Magistrate, to the question put by his Right Hon. Friend, which yet remained unanswered, although the Honourable Alderman had twice risen for that purpose, and sat down without doing it. It was, whether 16 ships of the Baltic fleet, under a convoy homeward-bound, had not been captured, as stated by his Right Hon. Friend. He was convinced that all the merchants, if consulted, would be decidedly of opinion, that the conduct of the Admiralty had been defective and inadequate to the protection of our trade. To those who said otherwise, he would ask, if they could dare to convene the merchants of London, and try to
make

make them vote thanks to the Admiralty for their boasted protection. The circumstance of six French frigates cruising in the Channel was admitted; what had been said of the Cork fleet of victuallers had not been denied; and the delay respecting the convoy of the Jamaica fleet was established beyond contradiction, as well as the inadequacy of the convoy appointed to conduct a fleet valued at four millions, and which left that fleet with only a 28-gun frigate and three sloops to proceed from the Gulph of Florida home.

The Chancellor of the Exchequer thought every satisfaction that was necessary had been given on the subject, and all future inquiry unnecessary.

Mr. Burke in explanation said, with political amours he had done—his mistress Poland he resigned to a more youthful admirer, who was all vigour and love. The ancient Theseus resigned his Ariadne to the youthful Bacchus; he would protect her from the rude hand of Despotism, had he the power; but wanting that, she must submit to her fate. He did not desert her from want of desire, but through impotence.

Mr. Fox went over the different topics that had been touched upon, and said that almost all that he had asserted being admitted, and the rest remaining uncontradicted, there only remained one point at issue between them, and that was respecting the delay of the convoy to the Jamaica fleet; on that and all the assertions he had made on matters of fact, he only wished, and had a right by the usage of the House to demand an inquiry, that he might have an opportunity of bringing evidence to the bar, or before a Committee, to prove what he had stated; and were he inclined only to mention now the situation of our naval strength and conduct in this month of January, he should think that sufficient to prevent ministers from continuing that vain boasting and parade, which they had adopted for a few days past of this session.

Alderman Anderson answered *Mr. Fox's* question in the same way as before.

Major Maitland said, he conceived there was something exceedingly reprehensible in the little attention that had been bestowed on the convoys to our trade. The House must be surprised when informed, that there was no other convoy to the Jamaica fleet, which contained property to the amount of four millions, than a single ship of the line. He was therefore of opinion, that some inquiry should be instituted with respect to the conduct of the Admiralty.

Admiral Gardner declared that the trade was never better protected at any period, than it had been during the present war.

war. He insisted that one line-of-battle ship was sufficient to convoy a fleet across the ocean. It was true that he had sent a 74 to look after the fleet, which had been convoyed by a 50-gun ship, a frigate of 28 guns, and two sloops, but that ship returned without overtaking the convoy, and as that fleet had arrived without losing a single ship, it shewed that it was properly protected. There was no danger, he said, except when a fleet approached their place of destination, and Lord Howe was ready with the channel fleet, to convoy the trade into harbour.

Mr. Grey said, nothing had been uttered on the other side of the House, that did not demonstrate that there was a necessity of an inquiry being instituted into the defenceless state, not only of the Atlantic, but of the Channel, particularly the latter, where the enemy continued to commit depredations on the trade.

Mr. Dundas supported the assertion of Admiral Gardner, but stated nothing new on the subject.

Captain Berkley recapitulated the assertions made by Admiral Gardner, and recommended Gentlemen, who spoke on the other side of the House, to study nautical matters, before they attempted to speak on maritime affairs.

Mr. Sheridan rose once more to say that he apprehended the Hon. Admiral and Captain who had just spoken, had deviated from the propriety of debate, in presuming that no Gentleman was qualified to speak on the question, but those who sat on his side of the House. He appealed to several naval gentlemen near him, conversant in naval affairs, if there was not a shameful deficiency on the part of those entrusted with the protection of our trade. Though not in office, he apprehended that they were not the less qualified to give an opinion on the subject. Ministers, he observed, had come down that day, with voluminous documents, to overpower every argument that went to prove the neglect that exposed the trade to the capture of the enemy. If, continued Mr. Sheridan, there were any listeners to our debates, how humiliating to Administration, to have it said, that those Gentlemen who opposed the measures of Government, called for an inquiry, on a subject to which its supporters declared that the friends of Government were alone competent to decide. If this were the case, they may have a complete triumph in exposing the weakness of those Gentlemen with whom he had the honour to agree.

Mr. Vaughan made a pointed reply to the arguments of Admiral Gardner and Captain Berkley, and asserted, that the mer-

merchants in general held a language relative to convoys, directly the reverse of their statements*.

On the question being put on the estimates, it was agreed to without a division. The report was ordered to be made on Monday.

On the motion of *Sir Pepper Arden* (the Master of the Rolls), a vote of thanks was passed to the Chaplain for his excellent sermon on the subject of the Martyrdom of King Charles.

* As the following statement may be considered as bearing some relation to the preceding debate, and others on the same subject, it will not be an useless matter of reference to the reader.

Statement, taken from Lloyd's Lists, of the Vessels captured from the 1st of February 1793 (the Commencement of the War), to the 1st of February 1794.

By the English. Sh.	By the Spaniards. Sh.	By the Dutch. Sh.
French (of which 75 are privateers, 4 frigates, and 3 sloops) 232	French (of which 3 are privateers) 21	French - 2
Dutch - 4	English - 3	
Swedish - 7	Swedish - 2	
Danish - 4	Danish - 3	
Hamburg - 8	American - 1	
American - 25		30
Spanish - 1		
English (having French property on board) - 3		
284		

By the French.	Ships.
English (of which 10 are privateers, and 2 frigates) -	332
Dutch -	43
Dantzic, -	4
Danish -	5
Hamburg -	6
American -	8
Bremen -	1
Spanish -	4
Portuguese -	2
	410

The above does not include the captures at Toulon, which amount, by the Gazette account, to 45 ships of all sorts, burnt or carried off.

French -	410
English -	284
Spaniards -	30
Dutch -	2
	316

Balance 94

in favour of the French against all the Combined Powers. Recaptures are allowed for in the above statement.

Mr.

Mr. Beaufoy presented a few official documents at the Bar of the House.

Adjourned till next day.

HOUSE OF COMMONS

SATURDAY, *February 1.*

BANK OF SCOTLAND.

The bill for enabling the Governor and Company of the Bank of Scotland to increase their capital to any amount not exceeding one million sterling, was read a first time, and ordered to be read a second time.

SUPPLY.

Mr. Hobart brought up the report of the Committee of Supply.

The same having been read a first, and ordered to be read a second time, after the second reading *Mr. Hobart* moved, That the House agree with the first resolution of the Committee, *viz.* "That a sum not exceeding 200,000*l.* be granted to his Majesty, to enable him to fulfil his engagements with the King of Sardinia."

Mr. Grey rose, not, he said, to oppose the motion, but to state some new objections to the treaty itself. When the matter had last been agitated, his Right Hon. Friend (*Mr. Fox*) had casually let slip an epithet, which occasioned the treaty's being argued almost entirely upon the ground of precedent, a ground upon which the merits of any treaty never should be argued, because every treaty depended solely upon the circumstances of the day, and the situation of affairs. On the ground of precedent on the former night, *Mr. Grey* said, he had not been prepared to speak, but upon looking into the subject since, he trusted he could make it appear, that the precedents quoted by the gentlemen who were the advocates for this treaty, would by no means bear out their arguments. The treaties with Sardinia, in 1704 and 1743, had been selected as precedents for the present treaty, but they were by no means applicable. The situation of Sardinia at those periods, and at the time of concluding the treaty upon the table, was essentially different. At the time of entering into the first of these treaties, the King of Sardinia was the active ally of France; to detach him from that alliance, it was necessary to offer him some singular advantage, to counterbalance the losses he must necessarily sustain from his breach of faith with France. In the second case, the treaty of 1743, the King of Sardinia, it was true, was not actually in alliance with France, but was hesitating where to fix, and balancing

lancing between the allies and France, with a seeming preponderance in favour of the latter; and to these three treaties all the Belligerent Powers were parties. But what was the case in the present instance? Sardinia was not the ally of France, nor even neutral with regard to that country, but at actual war with her. On the contrary, she had been stripped of Savoy, and the rest of her territories were in imminent danger; and by the treaty we had exclusively bound ourselves not to make peace till Savoy and Nice should be restored. He earnestly intreated the attention of the House to the different situations in which Savoy stood at the different periods when the several treaties had been made; and read from history, a passage, shewing the great consequence of our alliance at that time. His principal object, at the present moment, Mr. Grey said, was confined to an expression which had fallen from an Hon. Member (Mr. Powis) on the former night, concerning the payment of the Sardinian troops employed at Toulon. He wished to hear distinctly, whether those troops, for that service, received nothing from this country in addition to the subsidy of 200,000*l.* granted to his Sardinian Majesty by the treaty?

The Chancellor of the Exchequer in reply said, that nothing on the part of this country had been given, or engaged to be given to the King of Sardinia, on account of the service of his troops at Toulon. The subsistence, and extraordinary expense of these troops while at Toulon, would probably be defrayed by this country.

The other resolutions of the Committee of Supply were then read, and the whole report agreed to.

FRENCH PROPERTY IN FOREIGN COUNTRIES.

The Chancellor of the Exchequer reminded the House, that he had the preceding day undertaken to inquire into the circumstances of the very singular transaction, which he had then thought it his duty to state in such general terms, as would best convey a just idea of a matter, highly important in itself, and from its nature well entitled to parliamentary consideration. The result of the information he had received he was ready to state to the House, and on such reflection, as from the shortness of the time he had been able to give the subject, he was fully confirmed in the necessity of taking some immediate measure, to guard against the dangerous and destructive effects which would otherwise be produced by it; at the same time, he did not mean to trouble the House with any specific motion that day; he thought it would be more convenient to postpone it until Monday, as he was fully persuaded, that

during that short interval, no injury or inconvenience could arise from the delay. He meant, therefore, at the present moment to give notice, that either he, or some one of his learned friends, would on Monday move for leave to bring in a bill adapted to the occasion. At present he would state the circumstances of the transaction as shortly as possible, with his view of the subject, and the natural tendency of the measure, which he should think it his duty to propose; and he believed he could not more effectually do this, than by reading extracts from two papers, on the authority of which he could entertain no doubt, when he considered the channel through which they came. The first of these papers purported to be a decree of an extraordinary commission instituted in France, in consequence of a resolution of the joint Committees of Finance, of Public and General Safety and Subsistence. Whether there was any antecedent decree of the Convention, on which this was founded, was not so clear; and indeed that was the less material, as these papers were so complete in themselves, and so fully explained their own meaning, that hardly any further or other information could be necessary. He then read the decrees or papers to which he alluded, of which the following is the substance.

“The Commissioners having considered the decree of the 25th of December last, by the Committees of Finance, of Public and General Safety united, which put under requisition the resources and the industry of France, and particularly of all the Bankers, Capitalists, and Agents of Exchange; and being desirous of arriving at a rapid execution of every plan for promoting the happiness and dignity of France, now decree—

‘That all merchants, capitalists, and all others, who are possessed of funds in foreign countries, shall, between this day and the next *decade* [here he said he must confess, he was not sufficiently acquainted with the new French calendar, to say what that day was], make a declaration of all the effects and funds possessed by them abroad, and of all the merchandize they possess there, sold or unsold.

‘That they shall equally declare, upon republican veracity, any citizen whom they are acquainted with, who possesses funds or merchandises in foreign countries.

‘There shall be sent with the greatest expedition commissioners to the cities of Bourdeaux, Marseilles, Havre, Dunkirk, Brest, Cherbourg, Rochelle, St. Maloes, &c. to obtain the same information, and the same declaration; and letters of requisition shall be sent to the representatives of the people at Montpellier, &c.

‘Nine

‘ Nine commissioners shall be selected from among the bankers, and nine from the agents of exchange.

‘ The Committee of Public Safety shall be invited to take off immediately the seals placed upon the books of the bankers and capitalists who are now in a state of arrestation; to withdraw from under these seals all papers and documents, in order to obtain the same declaration required by the preceding article.

‘ The commissioners taken from among the bankers shall be charged with carrying on and watching over the execution of this decree, and punish with the severity of the law all those who shall be guilty of delay, or oppose the execution of the decree of the United Committee of Finance, of Public and General Safety.

‘ The National Treasury shall receive all the money that shall be produced in consequence of these appropriations.’

This was followed by a paper six days afterwards, which purported to be an instruction to those persons, merchants, bankers, capitalists, &c. who are the objects of the papers in question, to give an account of all the funds, credits, bills of exchange, and other property, in foreign countries, belonging to them: And these accounts are required within two days to be brought into the Public Treasury; they are next informed they were to have a receipt for the property so brought in, and to be paid the value of it in assignats at par. That the commissioners expect from all those proprietors and accountants republican fairness and celerity, and that all delay and fraud will be punished with the severity of the law. This was stated, the Chancellor of the Exchequer said, in the form of a circular letter sent by the commissioners to each individual who was the object of the decree.

Having thus stated the principal features and ground-work of the plan concerted by the French to injure Great Britain, by wounding her in the most sensible point, the Chancellor of the Exchequer said, that upon the tendency of the papers which he had just read to the House, there could be but one opinion, *viz.* that it became the indispensable duty of his Majesty's ministers to submit some means of counteracting so mischievous a design to the legislature of this country, and calling upon them for their aid and advice, to render the means proposed practicable and effectual. The House could not but be aware, that the nature and effect of what he had read to the House was this, That whoever has the power of drawing bills of exchange—whoever has debts owing to him from persons in foreign countries—whoever has the disposal of funds, merchandise, or property of any sort in foreign countries

tries—those who possess any of these things on their individual accounts, shall deliver them up instantly to the state, that they may become the public property of France, and shall receive in lieu of them assignats estimated at par, as the full payment and equivalent for the whole of this transfer to the state. From their statement of this measure it was obvious it united two distinct characters equally clear—the one, a robbery of the citizens of France, by making them, whether they would or not, transfer that which is valuable for that which they might not think valuable at all. They were constrained to take at par that which at times was worth only one-seventh. The next thing was, that all debts owing from individuals in countries at war with France, instead of going to the individuals for the purpose of commerce, should go to supply the means of carrying on the war. Under such a transaction, he thought it equally obvious, that to prevent its operative effect there required on our part a certain manifestation of regard to our own interest, and our own security; and even if these were out of the question, a certain degree of regard was due to the preservation of our mercantile good faith, in order to prevent transferring by this mixture of fraud and force the payment of their lawful debts from the persons who are intitled to their receipt to the state,

The Chancellor of the Exchequer reprobated this new and alarming measure of the present rulers of France, as a complication of tyranny, fraud, and injustice; at once a proof of the miserable shifts to which the revolutionary government of Paris was driven to provide supplies, and the total disregard of every principle of protection and justice, which all governments owe to those who submit to their subjection.

As a further elucidation of the important matter before the House, it would be necessary, the Chancellor of the Exchequer said, to advert to the general principles upon the subject by our laws, of which most gentlemen had undoubtedly some recollection. One of the principles was, that the payment of any debt owing to an alien enemy may be suspended during war; no action for debt can be maintained to enforce the payment; and the King might, if he thought fit, attach it as belonging to an alien enemy. But the mitigated and milder practice of modern times, from a desire to continue, even in a state of war, as much as possible the benefits of mercantile intercourse, which were for the advantage of individuals without trenching on the public safety, had long ago suffered the rigour of the law to relax, and brought this principle in its full extent into disuse. But although the practice was much to be applauded, when only this use was made of it, yet,

yet, if instead of answering the first ends of it, which were that of preserving the interest of the individual, subject to the limitation of not trenching on the interest of the state, it inverted both these propositions, by plundering and destroying property, and by breaking good faith, and on the other hand, directly, manifestly, and without disguise, forcing a supply, not collaterally, but directly, into the coffers of those with whom we are at war; and, in addition to this, to support the credit of the incredible mass of assignats already so much complained of, and which were made the principal engine of the war. The government, by seizing into its hands all the property of individuals, by compelling them to draw bills of exchange upon such foreign countries as they had either credit or property in, and receiving in lieu thereof assignats, would thereby create a fund, constituting in reality a tribute paid by this and the other nations combined against the French republic, to enable it to carry on the war against themselves. He thought, therefore, it would be consistent with wisdom, sound policy, justice, and humanity, to use our utmost exertions to prevent, at least with regard to our own country, this measure of the French from taking effect. He also wished to have it understood, that some means should be adopted for securing the property of the individuals of that country, and to quiet their minds upon that subject. These circumstances amounted to an ample justification for departing from the practice that had long obtained with respect to the existing laws on the subject, and, therefore, he should think it his duty to propose a measure for immediately prohibiting, under a penalty, the payment of any bill of exchange, or the disposal of any funds belonging to persons residing in France, at such a time as that this appropriation would have attached on them. But although this was the object, the most pressing in point of time, there were other objects which the humanity of the House would suggest as almost equally requiring their attention, although they would not, in all probability, be so liable to be defeated by delay. A second object of the British Parliament would be, to prevent the subjects of France from becoming sufferers by the tyranny of France, and to preserve for them entire the prospect of the payment of those debts which the despotism of the present rulers of the French would have seized from them. There was another object equally important: Whatever measure might be necessary, it was our duty to bear in memory, that, in our attempt to preserve their property, we should not be the cause of sacrificing the lives of these unfortunate persons; and therefore to conceal their names as much as possible
would

would become a necessary part of our care. This was matter for discussion, and matter which might require much consideration. He should have thought it his duty not to have passed over the day, without moving for leave to bring in the bill, had he not made inquiry upon the subject, and been given generally to understand, that the delay resulting from the interval between then and Monday, would not be attended with any bad effect. Parliament he hoped would take some rapid step on this subject; and he trusted, that after what he had stated, there were not any merchants in this country who would accept any bill of exchange, or do any act which would operate to prevent the immediate effect of the measure which the wisdom of Parliament might think proper to adopt. He gave notice that either he himself, or some learned friend of his, would move for a bill on the first object he had mentioned on Monday; and he hoped Gentlemen would take advantage of the interval, and turn the subject in their minds, so as to come prepared to discuss it with that degree of candour, intelligence, and judgment, which its importance required. With regard to the other objects, he would submit them to the consideration of the House, the first opportunity.

FRENCH OFFICERS IN BRITISH PAY.

Major Maitland desired to ask a question which the Secretary of State (Mr. Dundas) had said he was not prepared to answer the preceding night. The Right Hon. Gentleman had since had time to inform himself of that, respecting which he ought never to have been in want of information; and he desired to hear from him explicitly, whether or not there were French officers employed as aids-de-camp to the Earl of Moira, and receiving British pay.

Mr. Secretary Dundas said, he did not feel himself bound by duty, or any other consideration, to give an answer to any such question. His opinion was, and he begged to be understood as giving only his private opinion, that the Earl of Moira had a right to employ such instruments as he might think most fit for executing the service with which he was entrusted. To mention the names of French officers in any way contributing to the operations of the war, was a matter of much delicacy; and he desired the Hon. Gentleman *once for all* to understand, that he should decline answering any question, whatever might be the Hon. Gentleman's motive for putting it, that tended to disclose the measures of his Majesty's government, the success of which might depend upon secrecy, unless he was commanded by the House to answer.

Major

Major Maitland in reply said, that being himself a military man, he could not be supposed to have meant to call for any information concerning the expedition of the noble Earl, the communication of which might prove injurious to the objects of the service, or the interests of the country. The facts he had wished to ascertain, might be learnt from the meanest private soldier serving under his Lordship; though the Right Hon. Gentleman seemed to consider it as a very curious and important Cabinet secret. He understood from good authority, that there were French officers employed under the command of the Earl of Moira, and in British pay. If such was the fact, it was contrary to law, and a fit subject of inquiry by that House. He was ready to admit, that the situation of such French officers was delicate, and that their services might be useful; but if they were to be employed in a legal way, the delicacy of their situation would not be violated, and their services would not be less important. All the army under the command of the Earl of Moira must know whether any such officers were employed; and, therefore, to state the fact to the House of Commons, would not be disclosing any state secret. If the motion he was now to make should not be assented to, he said he would take another opportunity of bringing the subject before the House. The Major concluded with moving, "That there be laid before the House the names of such officers, natives of foreign countries, now in service under the command of the Earl of Moira, and receiving British pay."

Mr. Grey seconded the motion. He declared, he was somewhat surprised at having heard his Hon. Friend's question refused an answer, on grounds which appeared to him to be so frivolous and so idle; but he was sorry to observe the best part of the practice of the constitution broke in upon, and its principles departed from daily, under one specious pretence or other. The Secretary of State had said, that the Earl of Moira had a right to employ such instruments as he might think fit for executing the service with which he was entrusted. He would tell the Right Hon. Secretary, what the Earl of Moira had not a right to do: He had no right to employ foreign officers in British pay, within this country, without the authority of Parliament. If the motion should not be carried, he desired to be understood to give notice, that he should again bring forward the subject, and submit some motion to the House relative to the landing of Hessian troops in this kingdom.

The question on *Major Maitland's* motion was negatived, and the House adjourned till Monday.

HOUSE OF COMMONS.

MONDAY, Feb. 3.

FRENCH PROPERTY IN FOREIGN COUNTRIES.

The Solicitor General (Mr. Mitford) rose to move for leave to bring in a bill, the grounds and necessity of which had been fully explained by his Right Hon. Friend on Saturday, in what his Right Hon. Friend had said relative to the late decree passed in the French National Convention. The Solicitor General said, he saw no occasion to expatiate on the subject then, because if any difference of opinion should arise on any part of the provision which should be proposed, it might be discussed in some stage of the bill: He would therefore content himself with moving for leave to bring in a bill, the title of which he conceived would sufficiently explain the object of the bill itself. He moved accordingly, "That leave be given to bring in a bill, to prevent the application of debts in the hands of any of the subjects belonging to his Majesty, to or for the disposal of persons resident in France, under the power of the persons who exercise the present government in France, and for preserving the produce of such property to the individual owners thereof."

The question was put and agreed to, and the Attorney and Solicitor General and others ordered to prepare and bring in the same.

WAYS AND MEANS.

The House in a Committee of Ways and Means, for raising a supply to be granted to his Majesty, voted a continuance for another year of the duties now payable on Land and Malt, &c. The report was ordered to be received next day.

Leave was given to bring in a bill for regulating his Majesty's marine forces while on shore.

COMMITTEE OF SUPPLY.

On reading the order of the day for the House to resolve itself in a committee of the whole House, to consider further of the supply to be granted to his Majesty,

The Chancellor of the Exchequer said, the accounts of the army, ordnance, and extraordinaries of the navy, were very numerous. Whether it was intended by any Gentleman to enter into any particular discussion of them, he could not tell; they were all now before the House; he rose now chiefly for the purpose of saying, that he should make a general reference to them all, in the course of what he should submit to the House on Wednesday.

The House having resolved itself into a Committee of Supply, passed a resolution moved by Lord Arden, that

558,021l.

558,021*l.* be granted to his Majesty for the ordinaries of the navy.

His Lordship also moved, that 547,310*l.* be granted to his Majesty, to defray the expences of building and repairing ships of war, and other extra work, over and above the sum to be allowed for wear and tear, for the year 1794: This resolution was likewise agreed to.

ARMY ESTIMATES.

The Secretary at War begged the attention of the Committee to the subject of the army at present, and of the troops requisite for the service of the current year. He reminded the House that it had fallen to his lot to perform this duty for some years past, and hitherto he had only had the regular and limited number of a peace establishment to propose. The situation however in which we found ourselves involved, by the unprovoked and unjustifiable aggression on the part of France, and the consequent exertions we were bound to make to enable us to repel that aggression, called upon us to make more vigorous efforts. These exertions he was happy in being able to assert, were such as he had no doubt would reflect the highest honour upon those to whose spirit and talents they were principally to be attributed. To what extent they have been made, would best appear by a comparative estimate of what had been done in former wars, from which we could alone judge of what had been effected in the present instance. For this purpose he stated to the committee the number of troops raised beyond the peace establishment in any one year during the war of 1756, as also in the late American war, from which it appeared, that the greatest number of men raised in any one year of those periods, did not exceed 22,000 men.—During the short period of one year, that the present war had continued, we had by various means, by the addition of new corps of cavalry, guards, marching regiments, &c. actually raised new troops to the amount of no less than 37,165 men, a number infinitely greater than could be produced at any former period. Having thus stated the superiority of exertions made for conducting the war, and the necessary vigour to ensure success and peace; he concluded with moving, “That a number of land forces, amounting to sixty thousand two hundred and forty-four effective men, commissioned and non-commissioned officers included, be employed for the service of his Majesty for the year 1794.”

Mr. Hussy, in reply, began with expressing his concern, that with the best inclination to promote every measure that could promise to further that success which must be universally wished for, he was obliged to give his negative to this vote of

troops, a negative he would give with additional satisfaction, if he could hope it would be effectual. The Hon. Secretary had been at the pains to state to the House, the comparative exertions in raising troops during the former and present wars; he could have wished he had gone a little further, and stated the operations effected by those troops in other wars, and the present, whence we could more justly estimate the comparative advantages. The House had heard the detail of wars in the years 1759, 1760, and what troops had been engaged in the whole of the American war. He wished he had heard as well as the number of the troops, the effect of employing them in the years 1760 and 1761. And after the number of troops in the American war, he should be glad to hear what benefit this country derived from the employment of those troops; and then he should like to hear stated, what benefit we are to expect from our present military force. He was almost ashamed to look at this augmentation of our military force, because he was afraid we should never be gainers by it: If it could be shewn to him that we might, he should be ready to subscribe to the augmentation; but he had heard nothing yet, to make that appear probable. He declared himself, on a former night, an advocate for the augmentation of our navy; because he knew that if they would do their duty, (and what reason was there to doubt it?) they would be of more real use to this country than an augmentation, such as this, ten times over: A few good ships had ten times the force for us, of any land operation. He wished the minister had stated some inducement to the House, for what was now asked; for he confessed that he felt a great deal upon this subject, and he could not make up his mind as to any good that could be gained to this country, by this augmentation of its military force. We should only plunge ourselves deeper and deeper by it. This country, Gentlemen would recollect, was encompassed by sea—the great object of its resources was commerce. What was likely to extend that commerce, and increase those resources?—Our navy. There were now borne and mustered, as he heard on a former day, between seventy-five and seventy-six thousand men. If we could afford to augment in any part of an armament, why not make this one hundred thousand? The difficulty did not appear to him so great, as to some it might appear. A ship properly manned was one that had one-third landsmen, one-third ordinary, and one-third able-bodied seamen. Our ships, even on returning from an expedition, would be able to afford some towards this complement. He could not help pressing these points on the consideration of the House, and for the consideration of the public, for he was persuaded

persuaded that we had no good to expect from the augmentation of our army in this war. He did not mean to say any thing disrespectful of the army. The army might by their exertions afford very material service to this country when properly employed; but upon this occasion he could not help saying he did not see that their utmost exertions could be beneficial to Great Britain, and therefore he was bound to give his negative to the motion then before the Committee.

Major Maitland said, he should vote for the motion then proposed; but he begged leave to lay in his claim to take a different view of the subject, from that which was taken by the Honourable Gentleman who spoke last, for he was one of those who thought that the exertions of the army, under prudent directions, arising out of a prudent plan, might be rendered highly beneficial to this country. Whether that had been the case hitherto in the present war, was a question which he intended shortly to examine. The Hon. Secretary at War had said that more troops were now employed than in the American war; he had no doubt but that the statement was correct in that particular. But that was not the point to be discussed; it was not the number of troops raised that ought to be attended to, but the manner of raising them, and when raised the manner in which they were employed. If levy-money to a greater amount was expended upon the present plan, than on any former occasion, there certainly was an end of all the merit in raising men which was claimed. He did not wish to say (and he begged it to be understood as speaking of the whole army), nor did he believe, that any blame could be ascribed to any of the generals, officers, or men employed in the present war; many of them he knew to be men of the highest character, and for whom he had great esteem; and in stating all the numbers at present employed, it would have been well if the Secretary at War had mentioned the effects produced by the exertions of which he boasted, and had stated the military operations of the campaign. It would have been well too if the Right Hon. Gentleman, or any other person in his Majesty's Council, had stated what all our force had to contend with, and then he believed it would appear that we are fighting against that for which military prowess is not a match, for there was no military skill that could alter sentiment, or any military valour that could eradicate opinion. It would have been well too if the Right Hon. Secretary had had the candour to state that all our force was now to be employed against opinion, for then we should see the situation in which we stood, and what probability we had of ultimate success. As that, however, was not immediately the subject of that

night's discussion, but might be the subject of a future one, he would not pursue it any longer at present. The House, the Major said, was then met to discharge one of its most important functions—that of taking money out of the pockets of its constituents for the support of Government; and in that point of view it became the House to inquire, whether the money already levied on the public had been well applied, and what was to be expected from the application of it in future. We must consider then, whether in the former campaign ministers had made good use of what they had in their hands?—and this question would again resolve itself into two points—whether they had not employed small force where great force was indisputably necessary?—and whether they had not employed great force where small force would have been sufficient?—He cared not what the force was, for the sake of the present argument; his business was at this time to inquire whether the force, such as it was, had been well or ill applied. In discussing this he should leave out of the question the whole of the conduct of our allies—what that might have been, might also be the subject of discussion hereafter, and when it should, he should be ready to argue and to prove that the success of the allies was infinitely inferior to what might reasonably have been expected, and that the allies are at this time in a much worse state and situation, than they were at the commencement of this campaign, or at the time of the Austrians defeating Miranda at Maastricht. The Major said, he would confine himself to the operations of British troops commanded by British generals, upon every one of which, he feared it would be found that we had completely failed. He believed it would appear upon the discussion of that subject, that instead of honour we had met disgrace—instead of victory we had found defeat—instead of advantage gained, we had experienced loss suffered—instead of credit for the wisdom of our plan, we merited nothing but contempt—In a word, that there was nothing in any part of the campaign, that could be said to give to this country any one point of advantage, as a national object. In one place, our force was found inadequate to the object to be gained. In the other it was more than the object could be worth, if gained. But he begged again to repeat, that he meant not in the most distant manner either to cast censure on the generals, officers, or men, who composed our armies, but to impute blame to ministers, to whose mismanagement and misconduct solely he attributed all our misfortunes.

The Major proceeded to take a review of the principal events of the late campaign. The success that followed the embarkation of the guards for Holland, by the relief of Williamstadt,

liamstadt, was, he said, by no means to be attributed to any wisdom or foresight of ministers, because that being merely a defensive measure, no previous plan could possibly be adopted to insure success. The first fair point for consideration of the subject, therefore, was that of the conduct of the British at Valenciennes. When they came before that place (they did, as often they had done, and he trusted always would do), they acquitted themselves with honour and glory to their country: From their number, and from the number of the allies, they succeeded in their object; but from their number and the time taken up for that purpose, there was nothing wonderful in what was done on that occasion, considering that it was done by all the combined powers. When, however, they came to act separately and without the allies, as they did before Dunkirk, the consequence was disgrace; the event not only reflected disgrace upon the arms of this country, but had also been the cause of the melancholy situation in which the allied armies had been ever since. Some Gentlemen from their smiles seemed to doubt this, and seemed to doubt whether the siege of Dunkirk reflected disgrace on us. He would, for the purpose of being well understood, repeat, that the siege of Dunkirk reflected disgrace upon this country, and that it was in a great measure the cause of the subsequent calamities which were felt by the allied armies. What happened upon this occasion? The Major said, he must again declare, that it was not the conduct of the commander, but of the minister, which he blamed; the illustrious Prince who commanded at that siege was sufficiently brave, there was no doubt of that. But the question was, whether the means were adequate to the end proposed—and it might be a question worthy of discussion hereafter, whether the expedition was undertaken with the advice of his Royal Highness the Duke of York and the Prince de Saxe Cobourg, or without their advice, by the Cabinet of England. How far in point of fact that siege was undertaken by the gallant and illustrious General who commanded the British troops, upon his own suggestion, or by the interference of ministers at home, it was impossible for him to possess adequate information to be able to state. But upon the very face of it, the means employed were inadequate to the end proposed, and the expedition completely failed: This he believed to have arisen either from ignorance or negligence at home. The situation of his Royal Highness on that occasion was very comfortable: He saw himself forsaken by ministers: He saw himself left defenceless. The officers under his command saw themselves in that situation, and the expedition failed. Why did he state this? Not for the sake of saying that the
pos-

possession of Dunkirk was not desirable, for desirable it certainly was, but he stated it to shew that the plan for taking it was ill-contrived, and that it failed in the execution. It had been stated by a gallant Admiral (M'Bride), whose veracity was as undoubted as his courage, that the petty gun-boats annoyed our troops upon that occasion considerably; and to them likewise we owed the loss of one of the first officers that graced the British name, Major Moncrieff. He believed that the whole of the disgrace which fell upon the British arms at Dunkirk, ought to fall upon the ministers who advised it, and not upon his Royal Highness the Duke of York. But if it should turn out otherwise, however illustrious his character, he could not be free from blame; and that ought to be inquired into hereafter. He understood that when the Duke came there, in expectation of all the requisites, there was no battering cannon necessary to carry on the siege, and that other essential articles were wanting, owing to the negligence of ministers. Upon the whole of this business, therefore, he must repeat his former assertion, that all the subsequent misfortunes of the campaign were to be attributed to it, inasmuch as our disaster before Dunkirk served as a signal for rallying throughout France. The consequence of our failure at this place was such as he had already stated—the defeat of the Prince de Saxe Cobourg at Maubeuge. The next object, a link in the chain of incidents which made up the connexion of the events of the campaign was that which took place at Toulon, and upon this subject the language of ministers was curious. They assumed credit for having destroyed the French navy at that place. We certainly had given them a severe blow in that respect; but where was the praise to arise? We had got Toulon by *treaty*, and we lost it by *force of arms*: How did this prove our military advantage? We got Toulon by promises to the French there.—We lost their confidence by betraying them. How had ministers conducted themselves upon this occasion? They sent a force that was inadequate to keep it—we were faithless to our trust, and the only thing in which ministers exerted themselves, was that of creating a Staff, increasing the officers, and pursuing all the expensive part of a military establishment, and adding to the means of corrupt influence; in short, upon the face of the whole of this expedition, there appeared, as far as ministers were concerned, nothing but corruption and incapacity.

If Toulon was of that consequence it had been formerly stated, why was the expedition planned under Sir Charles Grey suffered to be diverted from the preservation of it? After the capture of General O'Hara, the General who succeeded

ceeded him (Dundas) stated in his dispatches the doubtfulness of being able to hold Toulon without the possession of the heights, which yet they were unable to preserve for want of troops. Thus the object failed, let the fault be where it may. With respect to the expedition under General Sir Charles Grey, how did matters stand? That expedition was postponed by repeated interruptions and delays until it was at last set forward in so boisterous and dangerous a season, that by the last accounts, he was seen struggling with storms with only one man of war, a frigate, and three transports. Thus did ministers fritter away the efforts of the nation, and the expedition became nominal, for the sake of establishing their favourite measure—the Staff.

In respect to the projected expedition of the Earl of Moira, the conduct of ministers had been as bad, if not worse than in every other particular; for that gallant officer, whose skill, knowledge, and valour, he did not doubt, after being attended by a variety of people, his expedition, as his Honourable Friend (Mr. *Sheridan*) had said on a former night, ended in an invasion of this country by a troop of Hessians. Thus he had stated, as briefly as the subject would admit, all the objects and the effects of the different expeditions of the British forces, as far as related to Europe. He would next proceed to take a short view of them in the West Indies; where the same series of misconduct and misfortunes presented themselves to his view; where, whatever we undertook by force of arms, as in the expedition against St. Lucie, failed; and where our successes, as in the possession of part of St. Domingo, was the effect of negotiation, not military exertion. Tobago was taken, which was the more despicable, as it had been possessed before by the British, and had many British inhabitants. But the expedition at Martinique had completely failed, and that by an inadequate plan, which, on the part of the ministers, was shamefully conducted: The fault, he would repeat, was not the fault of the general, or the officers, or the men, but of the minister, and so it would appear, when a proper inquiry came to be made into the subject. The whole of the plan of the ministers in the West Indies, as well as their plans in Europe, were inadequate to the ends proposed, and had consequently failed. Whether we looked at home or abroad, the conduct of ministers had been one uniform system of negligence, in regard to the interests of their country, its honour, and its dignity; and hardly any thing was to be seen to arise out of it, but disappointment and disgrace; and when they came to answer to those charges, he wished, for the honour of the British character, so long renowned for bravery
and

and candour, that they would not answer by mere declamation, but by reason and fair argument: If they felt for their own character, and were conscious they were not to blame, they would themselves institute an inquiry into the facts upon which he had founded these assertions. He acknowledged the necessity of great supplies, and therefore would vote for them; but while he did so, it was his duty to move for an explanation, how the money already voted had been applied, and if possible to obtain some security that not a shilling of the money of the people of this country should be misapplied in future. With regard to the House, he confessed, that conceiving it to be the duty of ministers at all times, particularly in time of war, to be on their guard in expending the money of the public, he was in hopes that ministers would so far deal plainly and fairly by the public, as to shew that there were some reasonable hopes at least that the expeditions they commenced would have terminated with success and advantage. This expectation was raised still higher, when he reflected that large sums of money had been thrown away upon various accounts, that were far from being necessary. Some of them, indeed, were highly censurable. One hundred thousand pounds had been already employed for the purpose of erecting barracks in different parts of this island—a measure not only unnecessary, but clearly unconstitutional: There required few words to prove this; he had the authority of the best writers who had ever written upon the subject, and they all agreed that erecting barracks was a plan directly hostile to the spirit of our constitution, and utterly destructive to the liberties of a free people. Authors, who had treated on the subject, agreed that keeping soldiers in barracks, tended to destroy that social intercourse between the soldier and the citizen, which was the great foundation of all harmony, and the bulwark of a free state, as well against internal discord as against foreign force. The evil did not end here; for he had too much reason to know, that the system of building barracks in this country was only in its infancy, and that as it was intended to be brought to maturity and made general, it would no doubt be carried on until the people should feel its inconvenience, and declare that they will no longer bear it.

Another objectionable matter was the mode of raising men by the sale of commissions. Men were to be paid 15*l.* of which Government were to pay but 5*l.* the remainder 10*l.* being to be raised by the sale of captains' commissions. He did not mean to say that it was not fair to raise men in this manner, but he was confident that it added an unnecessary number of officers (their commissions being sold); and that
thus

FEB
thus
perf
whic
fiden
the p
derin
men
it w
conf
expr
ject
stitut
them
migh
The
was t
which
Staff
at pre
ing b
guide
any p
clear
fued j
to the
althou
traord
to a v
he any
last bu
chillin
their p
indiv
Mr
future
very m
inateri
pafs.
confide
our m
cessful
to have
or was
" whe
not?"
been su
VOL

thus men whose meritorious services deserved better were superseded, unless they could raise money to purchase that to which their services gave them a fair claim; and he was confident that when the account came to be wound up and closed, the public would not gain by this plan; and although, considering the thing in itself, it might be fair thus to raise the men for the purpose of saving expence, yet in its principle it was extremely censurable, inasmuch as it was clearly unconstitutional to raise men for the public service, without the express consent of Parliament; and if economy was the object of our ministers, instead of bidding defiance to the constitution, which they daily praised, they should look around them, and they would see a long list of useless places that might be sold, and the produce brought into the public purse. The last point, which he meant to advert to, the Major said, was the enormous and unprecedented expence of the Staff, which exceeded by many thousand pounds the expence of the Staff at the most brilliant period of British annals. It amounted at present to the sum of 97,000*l.* per annum—a sum exceeding by 30,000*l.* a period when the wars of this country were guided by the late Lord Chatham, and being much beyond any period of the American war. From all these facts, it was clear that ministers paid no attention to economy, but pursued plans improvident in themselves, and utterly inadequate to the object proposed. He concluded with observing, that although he could not acquiesce in the estimate of the extraordinary on the table, he must from necessity vote away, to a vast amount, the money of his constituents; nor had he any satisfaction from the success of the application of the last burden they had borne; yet he might go away with this chilling, this miserable reflection, that he was voting away their property upon that which would not benefit any honest individual in this country.

Mr. Jenkinson said, as the subject might be agitated at a future opportunity, it would not be necessary for him to enter very much at large into this subject; and most especially the material parts of it appeared to be within a narrow compass. Two points would naturally suggest themselves for consideration: First, "Whether the campaign, as far as our military operations were concerned in it, had been successful or unsuccessful? Secondly, supposing any part of it to have been unsuccessful, whether that want of success was or was not attributable to Government?" Or, in other words, "whether any blame was fairly to be attached to ministers or not?" In the first place, he maintained that if the campaign had been successful, generally speaking *prima facie*, it was to be taken

that they deserved praise, and on the other hand, although the success had been general, yet there might be room for blame from the evidence of a particular act of misconduct. Considering their conduct in these points of view, he did not see that ministers had been to blame in any part of the campaign. It was obvious that in the course of this war we had employed in one year 10,000 men more than at any other period of the same length, and so far it was evidence of merit, because it appeared that ministers had been attentive to the public force. The siege of Dunkirk had next been alluded to. Upon that point he must admit, that Dunkirk was a considerable object to this country; but although a considerable object, it was by no means the highest object we had upon the continent. Mr. Jenkinson said, he would take a view of the siege of Dunkirk, and he flattered himself, could prove that the means taken to carry on that siege, were, under all the circumstances, the best that could have been adopted; for it must be remembered that, although we wished to take Dunkirk, yet that it was an essential part of our plan to divide the arms of the enemy. At that time it was held, that until Maubeuge should have been taken by the allied powers, Brussels was in danger; it was therefore essential to us that Dunkirk should be attacked then, if attacked at all, because, if not attacked then, the soil being marshy, it would be fruitless to attempt the attack at an advanced period of the season; and he was ready to allow, that if the means which were necessary for that siege did not arrive, and if those who had the conduct of it had remonstrated, and after that the cabinet of this country had insisted on carrying on the siege without affording the means which had been applied for, it would be on their part unjust and highly criminal: But he could answer for that which had passed between the General, who had the command of that siege, and the ministers of this country, that no such correspondence had taken place. If a remonstrance had been made, if it had been said, that the siege of Dunkirk was impracticable, or that in a military point of view it should not have been undertaken, the cabinet never could have thought of it. But let it not be imagined, that when he was defending Government from blame upon this occasion, he was casting any upon the illustrious person who was at the head of the siege. Every thing was done that could be done. The expedition had failed. But was it expected that we were never to fail in any thing we undertake, and that particularly at a time when some in that House were so strenuously insisting on the great strength and courage of the French? Our second object was the capture of Quefnoy; we took that, and we failed to

take

take Dunkirk. With regard to the ordnance that was to have been employed at the siege, he had heard, and he believed it was expressly desired by the commander, that ordnance should not come down, until they had arrived at Dunkirk, for fear, in the interim, of its falling into the hands of the enemy. The consequence of which was, that the siege was unsuccessful, and the consequence of the siege there was, that we were successful in another quarter, the French were brought down from the Rhine and the Moselle, which weakened the enemy very much—an object, at that period, of the greatest importance to us and our allies.

He next adverted to our operations in the West Indies, and said, he was confident there was no cause for blame on ministers in that quarter. It was true that we did not succeed at Martinique and Gaudaloupe, but the plan for that purpose was nevertheless a good one, for at that time we had reason to apprehend, they were in the power of the aristocratic party. In the interval that had elapsed between their setting out, and their arrival at the place of destination, a revolution took place, and the democratic party had gained the ascendancy. When the forces had arrived, this was a circumstance that required prudence and discretion. The General at first debarked part of the forces; but, as soon as they found that no success was likely ultimately to ensue, but that, on the contrary, a great number of the men must, were the object to be pursued, inevitably have perished, they re-embarked them again. In fact, we had been betrayed, and treachery could not be foreseen nor guarded against, and therefore no blame was on that account ascribable to ministers.

Toulon, he said, was certainly an object with us, but when he was asked, why we did not send troops there to keep it, he would answer, that although Toulon was an object, yet it was not of sufficient magnitude, when held in competition with the chance of our taking the French West India islands, to outweigh that object. Besides, Lyons and Marseilles, as well as many parts of the south of France, were at that time favourable for an insurrection against the ruling power of France, and would have succeeded, had the Lyonsese been able to hold out as long as ministers had reason to hope they would; and therefore they were justified in thinking that our additional force might have been better employed in the West Indies than it could at Toulon, where indeed it could not have been wanted, but for the unforeseen surrender of Lyons.

The expedition of the Earl of Moira, he felt himself prepared to defend. Notwithstanding what had been said against

it, that expedition was well concerted, and the reason why it had not been tried, and probably why it would not have been successful, was, that the royalists did not endeavour to gain possession of sea-ports, previous to which it would have been impossible for us to send a sufficient force to that country, to give reason to expect success: And he appealed to the Gentlemen of the army, who were present, whether this were not undeniably the fact, and whether they did not in their consciences believe, that the royalists alone were to blame, and that the fault did not attach to the Earl of Moira or his army. Mr. Jenkinson added some general observations on the whole subject of his argument, and contended that the exertions of Government, during the whole of the campaign by sea and land, had been at least as great, as vigorous, and as successful, as at any other period. Sure he was that no blame was to be imputed either to ministers, officers, or men. But if any Gentleman should think proper to move for an inquiry, that would be the time to enter fully into the subject; and if such an occasion should offer, he would be ready to meet the question.

Mr. Drake, who had risen at the same time that Mr. Jenkinson did, desired that the question might be read. He then entered into a defence of the grounds of the war, and said, he wished to impress the House with those sentiments which they had just received from an Hon. Gentleman (*Mr. Hussey*): *à fortiori*, these sentiments were strong in his mind. There was no remedy for any circuitous talk, in his opinion, but interruption of the member. What he had heard was not irrelevant, but founded on the basis of good sense. The navy of England was our boast, our honour, and our pride; but the question was not, whether a supplemental force should be added to the navy of England in the prosecution of this *moral war*. All our force, *Mr. Drake* said, ought to be exerted against the formidable power of France; and the question was, whether we should act up to our professions, or relax in our exertions. He professed himself a zealot for the welfare of his country; a zealot for her success; and every thing that concerned her interests, he said, was near and dear to his heart. He would therefore give it a disinterested, cordial, patriotic, zealous, and dutiful support. He said, he admired economy, but this was not a subject to which we ought to apply it.

Major Maitland rose to explain; and shortly stated, that he had complained of the conduct of the cabinet, and he had been answered, that the conduct of the cabinet was wise. He reminded the House, that he had expressly said, that it was not of the British generals or the British troops he complained;

he

he b
duty
and
gard
firab
was
state
ferti
beer
to b
have
it w
mak
Dun
infig
singl
T

cam
Mar
still
unfu
conc

M
clair
form
ques
whic

him
pend
forc
and
was
suad

ultin
at th
try,
he h
and
Ther
prop
L

men
com
remo
mini

he believed they had done, and he believed they would do their duty, but they had been placed in a situation where gallantry and merit could be of little use to their country. With regard to Dunkirk, it was said that the possession of it was desirable: He did not conceive that the possession of Dunkirk was particularly desirable, nor had he so argued it; he had stated that the siege was improperly carried on, and that assertion had not been answered. It was said that orders had been given, that the ordnance at the siege of Dunkirk was not to be moved until the Duke came for it, for that it might have been taken by the enemy.—Certainly it might:—But if it was not ready for him when he came up, how was he to make any use of it?—There was another part of the siege of Dunkirk which had not been mentioned, that of letting four insignificant French gun-boats come out, and our not having a single vessel at the time to take them.

The Major added to his observations on the conduct of the campaign in the West Indies, particularly the attempt on Martinique, and the expedition of the Earl of Moira, and still maintained that the whole of the campaign had been unsuccessful and disgraceful to us, on account only of the conduct of our ministers.

Mr. Hussey said, he could not allow ministers the credit they claimed for raising more men than had been levied in any former war. He declared, that his wishes were not for conquest, but for a safe and honourable termination of the war in which we had unfortunately been involved. The minister himself had called for the vigilance of the House over the expenditure of public money. Was not the direction of the force, for which money was voted, a subject equally important, and over which the House ought to be equally vigilant? He was sick of the war on the continent, in which he was persuaded every exertion, as far as we were concerned, must ultimately fail. He called upon the Right Hon. Gentleman at the head of Administration to tell the House and the country, distinctly, what was the real object of the war, and what he hoped to obtain by persevering in the war on the continent, and what probability there was of obtaining that object? These points satisfied, he would give his assent to the measure proposed.

Lord Fielding replied to that part of *Mr. Jenkinson's* argument, in which he had contended that the Generals who commanded the expedition against Dunkirk having made no remonstrance that the means afforded them were inadequate, ministers were therefore exempt from blame. What authority,
his

his Lordship asked, had the Hon. Gentleman for saying, that the Generals were satisfied with the means promised them, or that all the means had been afforded which were promised?

Mr. Jenkinson in explanation said, he did not mean that Generals were answerable for all the details of every particular operation they undertook, much less if Government neglected to furnish them with all the aid that was promised. *Mr. Jenkinson* said, as none of the officers employed in the enterprise against Dunkirk had ever stated that the force entrusted to them was inadequate for the purposes for which it was intended, no responsibility could possibly attach upon ministers, though the expedition had failed.

Captain Berkeley said, the army estimates being the subject of the debate, he was not prepared to speak on the ordnance. To one remark, however, he could make some reply. If his information was right, the ordnance for the siege of Dunkirk was required to be at the place of its destination between the 21st and 24th of August, and it actually arrived on the 24th. He was sorry that Sir Charles Grey, whose force had been represented as inadequate, was deprived, by the campaign in the House of Commons, of the services of an officer (Major Maitland) whose talents might have contributed so much to the success of the campaign in the West Indies.

The Chancellor of the Exchequer said, he was happy to find that there was no direct opposition to the question; and as all the collateral topics of debate were announced as matter of future and more formal discussion, when the sense of the House might fairly be taken with respect to the conduct of his Majesty's ministers, he should touch but very briefly on them at that time; a line of conduct which temporary indisposition would oblige him to pursue, were he otherwise inclined. To the Hon. Gentleman (*Mr. Hussey*) who had called upon him so pointedly, he must answer, that he could not enter into any detail of the intended operations on the Continent; but that, looking at the general character and description of the war, looking at the internal state of France, upon a change in which more than upon any other circumstance must the possibility of a safe and honourable peace depend, he could say that a naval war would prove inefficacious, because it would not bring that immediate pressure upon an enemy, which was necessary to accelerate the prospect of peace. France, he said, had committed and was persisting in the commission of suicide on her own commerce. She was not only careless of her colonies, but it seemed to be her system to destroy them and her commerce. Let Gentlemen but recollect what were the causes which

which led to the war. They were, first, the encroachments made, and attempting by the French on the territories of other powers, to restrain which had, in all former times, been held to be the policy of Great Britain. The next, which was in fact for our own commercial and maritime safety, proved that the continental war was necessary. The French had over-run the Austrian Netherlands, and threatened Holland with an invasion. If we suffered them to add port to port, and commerce to commerce; if we suffered them to possess themselves not only of all the ports and means of naval and commercial force which Holland afforded, but also the intermediate ports of the Netherlands, however safe we might think ourselves from immediate attack, what prospect could we look to of future security? To save Holland from an invasion, and to recover the Austrian Netherlands, the only barrier for Holland against the force of France, were true British objects—objects in which Britain was as deeply and as immediately interested, as the Emperor himself. But to obtain these objects, he would appeal to the judgment and the candour of every reasonable man, if it was not necessary to undertake a continental war.

During the first campaign of the war, whatever judgment might be formed of it, or whatever epithets might be applied to it by others, he should contend, we had been eminently successful, although not (as what campaign of such extent ever was?) without some important failures and reverses. The argument to be deduced from this would militate directly against the conclusions of the Honourable Gentleman; for all those reverses had been owing to the inadequacy of the force brought into the field against a people, who did not carry on war by levying and equipping armies like other powers, but who might rather be considered as an *armed nation*. If any argument was to be built upon this, and he was aware of the use some Gentlemen might make of it, it would not serve their purpose, because it would be found too much for those who would urge it against the continuance of war; for either it was impossible we could succeed in bringing any force adequate to our object, and then all must be despair, a sentiment which he believed not many would be brought to harbour; or else, if they could not bring the country to this conclusion, they only proved the necessity of making still more vigorous exertions. He would ask Gentlemen, whether the interests of this country would have been better consulted—would the protection of Holland and the recovery of the Netherlands have been more effectually promoted, if we had not had 30,000 men in Flanders? Our hopes then were, that we should be able to make greater exertions in
the

the second campaign, than we had done in the first; and that having made some progress already, our future progress would be greater, more rapid, and decisive, because we should start with superior force, and from better ground. The ground from which we were to start was better; because the French were driven from all their former conquests on the Rhine; and although they had again been unfortunately able to over-run part of that country, they had been prevented from seizing on Mentz, the key of Germany in that quarter. They were driven out of the Austrian Netherlands, and instead of having to begin the campaign with some of the strong places of Holland taken, and others on the point of falling, we should begin it with several of the strong fortresses of the French frontiers in the hands of the Allies.

The Chancellor of the Exchequer said, he did not claim for himself the exemption stated by his Honourable Friend (Mr. Jenkinson), that when Generals did not remonstrate that the force given them for any object was inadequate, they, and not Ministers, were responsible for miscarriage. He thought it would be more correct to say, that in such case, Generals would become jointly responsible with Ministers for miscarriage. What degree of blame might attach to a General and what to Ministers, on this supposition, it would be rarely fit to discuss, unless the miscarriage had been of such magnitude, as to render the inconvenience of avoiding inquiry, as great as the danger to be apprehended from discussion—and in time of war how great that danger was, he needed not remind the Committee. But when Gentlemen said, that the expedition against Dunkirk was undertaken contrary to the opinion of the illustrious Prince who commanded it, or that the force employed in it was in his opinion inadequate, he must tell them that their information was diametrically the reverse of the fact. The acquisition of Dunkirk, at a time when the object was to make as great and as general an impression as possible upon the enemy's frontier, every Gentleman would allow was important. It was not, however, so important as to supersede other operations, and divert the force at the disposal of Ministers from other purposes, which they might think of still higher importance. He was ready to avow that, as one of his Majesty's Ministers, he had advised the expedition against Dunkirk, believing not only that the place could not resist the force that was sent against it, but also that the French could not, by any probable exertion, collect a force sufficient to relieve it. That he was deceived in his hopes, was but too true—whether he was to be blamed for advice from which he would not now shrink, it would be for the House to consider and decide, if they should think fit to

go

go into the inquiry, of which notice had been given. When the motion for inquiry came to be debated, if such a motion should be made, he should contend that there was no ground laid for inquiry, and that, even if there were, the danger to be apprehended, far out-weighed any advantage that could possibly be expected from it. If he were conscious of an error, he should not be ashamed to own it, as, on so complicated a subject as the direction of a war, who would have the presumption to say, that he should never err? but so far was he, then that he had had the aid of experience to inform his judgment, from being conscious of any error in the advice he had given, that he had no hesitation to say, that under the same circumstances he should give the same advice again. To the very respectable Nobleman at the head of the ordnance, he owed it to declare, that no exertion that could be made in the department over which he presided, had been omitted. The French gun-boats, of which so much had been said, had in point of fact contributed nothing to the failure of the enterprise. The true cause of the retreat was, that the covering army was attacked by such superior forces as even the able conduct of the officer who commanded it, could not resist. Both the time and the manner of that retreat were highly honourable to the Prince by whom it was directed. In the ardour of youth and courage, to relinquish a favourite object, and to mark the precise time when to relinquish it became necessary, was, in his consideration, the highest proof of merit.

Respecting the conduct of the war in other parts, all he desired to know was, what more ministers could have done with the force they had at their command? On this he would rest the whole of their merit or demerit. When the force at Toulon and the force ordered thither were known, he should be ready to discuss the conduct of ministers respecting the defence of that place, if the House thought fit. All he should then say was, that although they considered retaining possession of Toulon as of importance, they did not hold it to be so important as to give up, on account of it, the expedition to the West Indies. They had ordered such a force for the defence of Toulon as they conceived to be sufficient, and he did not even then think that it would have been justifiable to forego the expedition under Sir Charles Grey. They afterwards diminished the force intended for that expedition, for reasons, which it was not then proper to explain. Such as it still remained, they thought it adequate to the service for which it was sent; and neither zeal nor talents would be wanting on the part of the officer who commanded, to render

it successful. With respect to the force collected under the command of the Earl of Moira, it was idle to discuss the merits of an expedition, if so it might be called, which had been only projected and was now laid aside. All he should say was, that ministers had not the means of attempting such an expedition at an earlier period; and that they were justified in planning it at the time they did. How the troops collected for that plan might be now employed, he certainly should not explain.

To return to the subject of Toulon (for on such occasions it was difficult to refrain from saying more than was at first intended); in the defence of it, while it could be defended, and in the evacuation, when it could be defended no longer, the officers who commanded had great and extraordinary merits. The obtaining possession of it depended on the excellent condition of the fleet sent into the Mediterranean, and the admirable conduct of the officers who commanded it. Had it not been for this fortunate combination of circumstances, the fleet of the enemy, sometimes superior in point of numbers, could not have been blocked up in the port of Toulon, and that degree of famine produced, which was the primary cause of the surrender. After the tower and forts were occupied by the small force then at the disposal of Lord Hood, such exertions for maintaining the place were made, as he was astonished to hear a member of the British army, even inadvertently, for he was sure it could only be from inadvertence, represent as disgraceful to the British arms. When it became necessary to evacuate the place, let Gentlemen call to mind the circumstance against which that operation had been effected; let them suppose a great town to be abandoned, a large garrison to be embarked, and the inhabitants, in consternation and dismay, to be taken away, while the enemy had gained such advantages in various quarters, as enabled them to threaten the town itself—Let them suppose all this performed in the face of an enemy; the garrison embarked; as many of the inhabitants as chose, to the amount of many thousands, taken on board the ships; and all without the loss of a single man, which could hardly have been hoped in a peaceable embarkation of the same extent, on the river Thames.—Let them then add the destruction of the enemy's ships to such a degree, as to form the greatest blow given to the French navy at any period—and then would any man say, that the officers who conducted those operations, had not displayed courage and conduct highly creditable to the British name?

and

and that they were not entitled to every honourable mark of commendation and applause?

Sir James Murray rose to set Captain Berkeley right in a particular in which he appeared to be mistaken. *Sir James* said, the Honourable Gentleman was misinformed with respect to the arrival of the ordnance for the siege of Dunkirk. It ought to have arrived between the 20th and 22d of August, and it did not arrive till the 26th or 27th. The loss sustained by the fire of the French gun-boats was not such as had been reported, and had no material effect in raising the siege. The enemy, notwithstanding the support they might expect from their gun-boats, were driven back into the town as often as they attempted a sally. The sole cause of raising the siege was the defeat of the covering army by a superior force, an accident that had more than once happened to an army more numerous, and to the best-disciplined troops in Europe. The retreat was made in the best order, although in the night, and nothing was left behind that it was possible to bring away. The resolution to retreat was taken, and the orders given, in the most cool and deliberate manner, by the Duke of York; and by the dispositions made after it, the French were repulsed at Ypres, Menin was retaken, and West Flanders saved. He agreed that the great theatre of war was at Maubeuge and Quesnoy, for on that part of the frontier it was that a strong and effectual impression must be made.

Mr. Fox said, that although a future discussion was promised, some sentiments had been delivered, on which he must remark, while they were fresh in the memory of the House. He agreed perfectly with the Honourable Gentleman (*Mr. Hussey*) who had opened the discussion, on the propriety of the time he had chosen for making his observations, as well as on the propriety of the observations he had made. According to the best practice of the best times, it was in point and in order to consider the ability of Ministers to direct to the most beneficial effect that force to pay for which they were about to vote the money of their constituents. He was glad to find Gentlemen on the other side of the House so much pleased as they professed to be with the successes of the campaign. If it were possible to talk with levity of the situation of Europe, which he considered as highly disastrous, or more alarming than disastrous, he should congratulate the House on the issue of a campaign with which all parties engaged in it were pleased. We extolled the success of our armies; so did the French that of theirs. We applauded the evacuation of Toulon as a most fortunate event; the French celebrated the same event

by public festivals—So that Ministers and they might meet and join in one common jubilee. Unfortunately for him, however, he could not participate in these rejoicings, whilst he saw Europe brought into a situation melancholy and afflicting to every man who possessed the least spark of justice or humanity.

From the time at which Parliament was prorogued, when the advantages we had obtained were set forth in terms as vaunting as they could well bear, we had seen little success and much defeat. When he knew that all the latter part of the campaign had been uniformly unsuccessful; when the successes of the early part, instead of conducting, as might have been expected, to new successes, had only led to disaster and disgrace; he augured but ill of the future, as every rational man must augur. He could neither agree with the Honourable Gentleman (Mr. Jenkinson), nor with the Chancellor of the Exchequer, who had corrected him on the subject of responsibility. Instead of resting wholly with Generals, or jointly on Generals and Ministers, it lay wholly with Ministers in the first instance. There was, or ought to be, a military man in the cabinet, and he supposed the Commander in Chief held that situation now, on whose information and advice, Ministers were to decide both on the propriety of undertaking expeditions, and the force requisite for such expeditions. They might have much information respecting which the officer appointed to command in any expedition might be ignorant; consequently they, and not he, were to judge of the force necessary; and his acceptance of a command with an inadequate force, was no justification for them. If he knew in that House, that an officer had misconducted the force entrusted to him (and he hoped no man would be so uncandid as to suppose what he said to have any particular application), he would charge Ministers with the blame in the first instance, because it was their duty to employ none but proper persons. When they were put upon their defence, they might shew reasons for the choice they had made, and in proportion to the validity of those reasons, would they be exculpated. He did not pretend to know whether the Commander in Chief of the combined army, and the illustrious Prince who commanded the troops sent against Dunkirk, approved or disapproved of the expedition; but this he knew, that if, on the general inquiry into the business, it should appear that it was undertaken contrary to the judgment of such professional men, the circumstance would form a strong aggravation of the charge against Ministers.

The

The Chancellor of the Exchequer had said, that the defence of Toulon was not to supersede the expedition to the West Indies. In one point of view, the defence of Toulon was paramount to the capture of all the West India islands, for it was to preserve the faith of the nation solemnly pledged to the inhabitants, who had put themselves under our protection. We entered Toulon by treaty, not by conquest, as the ally of Louis XVII. in conjunction with the King of Spain, to whom the place was as much surrendered as to us; and on the express condition of restoring to the inhabitants who admitted us, what they called their constitution of 1789; although he heard that the part of the treaty to which he alluded had been broken by our subsequent proclamations. We got possession of the ships and stores in trust for our ally Louis XVII. and after that, to boast of destroying them as the ships of an enemy, was a perversion of terms. He admitted, that when they could not be defended, we had a right to destroy them, or, what was still better, to bring them away, in order to prevent their falling into the hands of those who were the enemies of Louis XVII. But this was to be lamented as a misfortune, more especially if any considerable part of them did fall into the hands of his enemies, not vaunted as an instance of extraordinary success. Let Ministers hold to Louis XVII. or his representative, if he had any; let them hold to French Royalists the language they held to the House, of preferring an expedition to the West Indies to the defence of Toulon: Let them say, "We have got possession of a port and a fleet in trust for you; but we must take your West India islands for ourselves; we cannot attempt the one without endangering the other; and we prefer taking what we mean to keep at all events, to defending what we must restore to you, when reinstated on the throne of your ancestors;" and see with what cordiality and gratitude it would be received. If seating Louis XVII. on the throne of France was the object to which Ministers looked as the means of peace, they ought to have sent the whole force at their disposal to Toulon, if necessary, in preference to every other expedition, on motives of common policy, much more on the strongest of all motives, that of good faith.

He had often heard, as he had heard that day, that all the inhabitants of Toulon, who chose it, were taken away by the British fleet. Was it not true, however, and notorious, that hundreds, nay thousands, of the unfortunate remainder, had glutted the vengeance of those whom they had made their implacable enemies by the confidence they reposed in us? If it should be said, that these victims preferred staying to be brought

brought away, that would contribute little to reconciling them to our conduct; for what must our treatment of those men have been, what opinion must they have formed of us, who preferred the fury of avowed enemies to our protection?

It was insinuated that Toulon had been taken by blockade, by famine, by skilful exertions in opposition to a superior fleet. He had always understood that the officers of that fleet were willing to treat with us, not on account of famine, but their detestation of the French Convention. That fleet, said to be superior to ours, Admiral Truguet, who commanded it, had long before represented as in a condition unfit to act; and Admiral Trogoff, who commanded at the time of its surrender, had at this time a command with us, he supposed in the service of Louis XVII. His Honourable Friend, who had entered into a general discussion of the war (Major Maitland) in such a manner as induced all his opponents to postpone answering him till a future day, had been said to derogate from the merit of the troops employed at Toulon. Nothing but misrepresentation too gross almost for belief, could extort from expressions which his Honourable Friend applied exclusively to the conduct of Ministers, the idea that the troops had not done their duty in the most meritorious manner. It was next said, that while Lyons was able to hold out, when Marseilles was ready to revolt, when the whole South of France was desirous of throwing off the yoke of the Convention, no danger was to be apprehended at Toulon; and that if Lyons had held out, Toulon would not have been taken. Just such were the hopes held out in the American war. In one place the people had risen against the Congress, and in another they were ready to declare for us, whenever a sufficient force to protect them should appear; in some places they behaved better, in others worse; but in none did they enable us to succeed. In the South of France, when Toulon was in our hands, Lyons in open revolt, and all Marseilles discontented, in none of the adjacent provinces did we find the people rising in our favour. If they did not rise then, what prospect had we that they would on any future occasion? In the opinion of all men acquainted with the extent of the posts to be defended, 15,000 men was a very inadequate garrison for Toulon, more especially when that number was composed of different nations and under an undefined command. Although valour was the growth of every clime, it was well known that troops of different countries acting together were never so efficient as an equal number of troops of the same state; and so undefined was the command, that General Dundas did not know,

know, after the capture of General O'Hara, whether he or the Spanish General was Commander in Chief. If success was, *prima facie*, some proof of merit, want of success must, by parity of reasoning, be a presumption of demerit, and while ministers claimed for themselves the advantage of the one, they must take the consequences of the other. Surely the House might inquire about the conduct of a minister who said it was fit to assist the Royalists, yet neglected all the summer to assist them, then put a force under the command of the Earl of Moira, to form which he crippled another expedition, and found, when he had done so, that it was too late to assist the Royalists. The minister said, he could not plan the expedition under the command of the Earl of Moira sooner, but that it was fit to be done at the time he did it. Mr. Fox said it was unfit to be done, for it had produced no one good effect, but, on the contrary, two obvious bad effects: It had weakened the expedition to the West Indies, and it had prevented such a force being sent to Toulon as might have defended the place. He wished these were all its bad effects; but what lesson did it teach the French? When coupled with the evacuation of Toulon, it taught every Frenchman to distrust the offered protection of the Allies, who were shewn to be neither able to aid nor defend; and whatever might be his wishes, impressed deeply on his mind the necessity of submission to that tyrannical government, from whose vengeance the Allies could not screen him. The motives for collecting the force under the command of the Earl of Moira, and the motives for keeping it unemployed, he contended were both fit objects for inquiry. To this the only answer was, the common cant of every minister—the danger of inquiry in the time of war. His reply was, that in every country the constitution of which admitted enquiry into the conduct of ministers (and it was the pride of our constitution to be most favourable to it), the administration of public affairs had been improved in proportion as the right of inquiry had been exercised. Did the inquiries promoted in the House of Commons during the American war, do harm? Was it not true that they did much good; and towards the conclusion of it, ministers being rendered more attentive to their duty, the most glorious successes of the whole war were achieved? “If peace,” said Mr. Fox, “be the object which ministers have in view, and if they consider the destruction of the present ruling power in France as an essential preliminary to peace, although that is far from being my opinion, the importance of every operation is in their minds to be measured

fured by the degree in which it may conduce to this great end. If this, as they seem now to admit, cannot be accomplished without the aid of the French themselves; one province, one district, gained by the good will of Frenchmen, and capable of being maintained, will conduce more towards it, than twenty towns, and ten times as much territory conquered by the arms of the allies. (Mr. Fox said) "Whether or not this was possible in La Vendée, I do not know; but ministers thought so, and on their own principles, assisting the Royalists ought to have been with them the most important of all operations. They have let slip one opportunity, I fear never to have another.

"One expression I have heard, so alarming, that I cannot suffer it to pass unnoticed. The Right Honourable Gentleman tells us, that we are not at war with a people of ordinary exertions and resources, but with an *armed nation*. Is this so?—If it be, he says, it would be an argument for despair. If we are waging an offensive war, a war of conquest, I say too that is an argument for despair—God forbid it should be otherwise. The cause of liberty, of justice, of humanity, requires that it should be so. If such a combination as is now leagued against France were attacking the independence, the constitution, the civil liberties of Englishmen, would the navy we have voted, or the army we are going to vote, be thought sufficient? Would 60,000 of her sons be all that would take up arms in defence of Britain?—No—we should arm as one man, we should have but one sentiment, to conquer or to die; and on this principle I rejoice that an armed nation is invincible. The same reason that makes an armed nation invincible in defence, renders it in attack quite the contrary. The desire of conquest can animate but a few, and they will be opposed by the same principle of resistance in their attempts to conquer other countries which enabled them to defend their own. The French, therefore, will not succeed in their attempts at conquest if they have not abandoned them, and we might make peace with them in full as much security, that it would be permanent, as we ever had at any former period. If in former times we had said, that we would make no peace with France without a change of that government, which we knew to be hostile to our own, we should have been at war for more than a century. What are the dangers we have now to dread from France more than those we have actually experienced and repelled? An Honourable Friend of mine has said, that when a danger rises to a certain magnitude, all beyond that becomes of no account, because we already see what we dread more than loss of life. Now, what was the danger from which we were delivered in the days of the

the
the
our
subv
gion
and
went
with
secur
hosti
taine
lerate
Fran
an ar
We
offen
fight
becom

Th
which
armed
tlemen
to say
pulsion
larger
other
thing
tionec
along
nation
an opi
Friend
greater
united
there,
system
ferred,
an uni
joiced
force
degree
out, th
species
system
not be
Vor

the Pretender? A powerful foreign despot attempted to seat on the throne a Prince, whose right we had abjured; to overturn our constitution, and establish an arbitrary government; to subvert the Protestant, and introduce the Roman Catholic religion; in one word, to ravish from us all we held most dear, and force upon us all we most abhorred.—Yet we never went into the extreme of saying, “We will make no peace with the government that has attempted this; we can have no security while a ruling power exists, whose principles are so hostile to ours.” Sorry am I to find such sentiments entertained now; for if France be an armed nation, we may accelerate the calamities we dread, but we shall not conquer France. I shall perhaps be told, that, if France has become an armed nation, it may be necessary for us to do the same. We shall not become an armed nation in order to carry on an offensive war. If unfortunately we should ever be driven to fight on the same terms as the French have been, we too shall become an armed nation, and like them be invincible.”

The Chancellor of the Exchequer rose to explain that expression which he had let fall in his former speech, stating France to be an *armed nation*, which he considered the Right Honourable Gentleman who spoke last to have misunderstood. He meant only to say, that from the present horrid system of force and compulsion used in that country to collect an army, they had a larger mass of armed men than they could have had by any other means; and that to this mass of numbers they owed every thing like success which they had obtained. When he mentioned them as an armed nation, he by no means meant to go along with the Honourable Gentleman, and say, that the whole nation was either armed or united; on the contrary, he was of an opinion directly the reverse. He thought, with his Noble Friend who stated it on the first day of the session, that much the greater part of the people of France were so far from being united to defend the present system of tyranny which prevails there, that a majority of them were as much averse to that system as it was possible to be; and from this conviction he inferred, that the comparison between the strength of France as an united armed nation, which the Honourable Gentleman rejoiced to think they were, and the probable effects of such united force and sentiment in England if it was attacked, could in no degree hold; for to make good that comparison, it must be made out, that unless the people of France like and admire every species of enormity, horror, and guilt, and are united in that system, England, if all Europe was leagued against her, would not be sensible of the many blessings that she enjoys, or ready

to defend them. The war had been called by some offensive; in some degree he would allow that it was offensive against the tyrants of France, but not against the majority of the people of France. He contended, that the only means of keeping their armed force together are, in the first place, irresistible compulsion, and in the next, that system of plunder and devastation which they had acted upon throughout. Having said this much in explanation, he thought it necessary only to add and repeat it, as his deliberate opinion, that in the most exaggerated state that ever had been given of the power and ambition of Louis XIV. Europe never was threatened with so much danger as must necessarily result from giving the least encouragement to the present tyrannical, horrid, and ruinous system of that distracted country.

Mr. Fox rose to explain; he understood the Right Honourable Gentleman to say, that France, as an armed nation, had collected such strength, that a very great force must be necessary to act against her in that situation. He contended, that when once a nation, instead of regular armies, however large, became an armed nation, it must be united, because the only power of resistance to a reprobated system of government was in the hands of those very men, who, taking up arms in its defence against the attacks of foreign enemies, made it an armed nation. The Right Honourable Gentleman had stated unfairly, that he (*Mr. Fox*) had rejoiced that France was united; what he said was, that if France as an armed nation was united, he rejoiced that it was invincible, because if ever England should be attacked in a similar way, it was by such an union and armed force only that she could be invincible; but to answer his own purpose, the Right Honourable Gentleman had, as usual, slipped in a word or two for him, as having been spoken in a sense in which he never had uttered them. He concluded with some observations respecting the difference between the French as an armed nation at this time, and at the time they invaded Flanders last year.

Sir William Young spoke shortly relative to the proceedings of the campaign in the West Indies, and defended the conduct of Administration in that quarter, and in the different expeditions made to those islands. He stated, that letters of so late a date as the 16th of December brought accounts that health was restored in the different islands, and that when *Sir Charles Grey* and *Sir John Jarvis* arrived, they would find every thing in the most favourable condition for their reception; and under such commanders, with such troops as they had, there was little doubt to be entertained of success from that expedition.

Mr. Bastard called the attention of that department of government, to which it might particularly belong, to some information

formation which he had received relative to the bad accommodation for the sick and wounded soldiers in the hospital at Deal, from the circumstance of its being likewise made a prison for the reception of French prisoners, forty-eight of whom were there confined, who by their riotous conduct in celebrating their civic feast and national ceremonies, rendered it almost impossible that those unfortunate people could ever get well, if some more particular attention was not paid to them. He thought it his duty to state this, as they were about to vote, and had before voted, considerable sums for the accommodation of French prisoners.

Mr. Secretary Dundas declared, that hitherto Government had never come to the knowledge of any such facts, and he put it to the Honourable Gentleman, whether, if he had been possessed of that information for any length of time, he did not take some degree of blame to himself for concealing it even for a moment? The more regular and proper way would have been, for the Honourable Gentleman to have made the communication privately; but in whatever shape it came, he would take care that proper steps were immediately taken on the subject.

Mr. Bastard said a few words in explanation.

Mr. Fox said, that since the debate on Friday on the subject of the convoys, he had made it his business to inquire particularly where the best information could be had, and he found that in every one assertion he had made that night he was perfectly correct and well founded. He therefore gave notice, that on the first open day next week he would make a motion on that subject.

Major Maitland said, an Honourable Friend of his, who was absent from indisposition (*Mr. Sheridan*), had directed him to say, that having found from proper inquiry that all he stated on Friday night about the state of Halifax and the Quebec fleet was true; he would take the opportunity of bringing forward something on those points, on the same day that the Major said, his worthy friend made the motion.

Alderman Anderson rose to give an answer to the precise question so repeatedly put to him the other night, and to which the answer of *Yes* or *No* was demanded. He had inquired at Lloyd's and the Exchange, the only proper places to find out whether the sixteen or seventeen ships of the Baltic fleet, said to be captured, were captured or not. He found that no such thing was known at either of those places, and the only capture that was made was of one ship, which had parted from the convoy.

Mr. Fox said, he was astonished to hear what had fallen from the Honourable Gentleman: The convoy he alluded to was the Thames frigate, and the only authority he would offer to prove the capture of those ships, was that on which the Honourable Gentleman seemed to rely for their safety, because the circumstance was perfectly notorious both at Lloyd's and the Royal Exchange.

The several resolutions were then agreed to, and ordered to be reported to-morrow.

Adjourned at nine o'clock.

TUESDAY, February 4.

The Marine Mutiny Bill was read a first time.

The report from the Committee of Supply was brought up and read. On the resolutions for the pay of the army,

Mr. Fox desired to know, under what head the Staff of the troops at Toulon and in the West Indies was included? Being informed by the Secretary at War, that the Staff of the West Indies was included under the general head of Plantations, and that the Staff at Toulon was not included under any head, but would make part of the army extraordinaries for next year; he wished to know why the general charge for Staff Officers, since it included neither of those articles, so far exceeded the charge in any former war.

The Secretary at War said, the Staff was not to be regulated by precedent, but by the number of troops employed, and the nature of the service.

Major Maitland admitted that the amount of the expence of the Staff could not be precisely governed by precedent, but the troops now employed were not more numerous than those that had been employed in former wars. What reason could then be given for the charge of Staff at present amounting to 97,000*l.* and upwards, without including the Staff for Plantations and Toulon, when it had in the war before last been only 62,000*l.*?

Mr. Steele said, he was convinced, that the Commander in Chief appointed no greater number of Staff Officers than was absolutely necessary. With regard to the calculation, the Honourable Gentleman had been a little mistaken; for in part of the American war, the expence of the Staff amounted to upwards of 72,000*l.* exclusive of the Plantation and other Staffs. The sum of 97,000*l.* now voted included the Staff of
the

the troops in Flanders, and of the troops under the command of the Earl of Moira.

Major Mailland, the *Secretary at War*, and *Mr. Steele* explained.

Mr. Martin wished to take that opportunity of saying a few words on what had passed in the Committee last night on the same subject. The Chancellor of the Exchequer had said, that France was an *armed nation*, an expression with which he was much struck, and which the Right Honourable Gentleman, with all his ability and all his command of language, could not afterwards explain away. He was glad the Right Honourable Gentleman had used the expression; for it would tend much to open the eyes of the country, as to what were the real principles of the war in which we were engaged. He fully agreed with his Honourable Friend (*Mr. Husley*) on the propriety of directing our efforts to a naval, instead of a military war. He was of this opinion, both on motives of policy and humanity. Continental connexions were by no means of that importance to Great Britain, that some Gentlemen seemed to imagine. A naval war was more congenial to our insular situation, and it was far less calamitous to mankind—by it no villages were destroyed, nor the industrious peasants of any country plundered and reduced to misery. The Right Honourable Gentleman, instead of explaining what he meant by saying that we were at war with an armed nation, had entered into a brilliant declamation on the beaten topic of French Atheism. No man held Atheism, or irreligious principles, in more abhorrence than he did; but he held atheistical hypocrites in equal abhorrence: And he was sorry to say, that there were many men in this country, who, without any religion in theory, or in practice, made religion a stalking-horse, for purposes of state. He was averse from engaging in foreign wars: and much as he had heard in support of the contrary system, he thought this country could do without foreign connexions. When we should be so happy as to obtain peace, he hoped the policy of detaching ourselves from continental connexions would be well considered. While the abuse of public money was the subject of debate, it was in order to notice what he believed to be true, that the newspapers in the interests of the Treasury were paid with public money. A greater abuse could not well be practised, for it was their daily business to misrepresent facts and characters, and calumniate every man who opposed ministers by suggesting that he was destitute of religion and honesty, and an enemy to the constitution and government of his country. These were times, it had been said, when

when it was necessary for every public man to speak out. Misrepresentation made it so, and he was ready to do it. A limited monarchy and an independent House of Commons were what he wished for, because he considered them to be the true principles of the constitution. If any invasion of the constitution had taken place, it had come from those who ought to have defended the constitution. Not to mention other things, the erection of barracks all over the country was a measure, which, four years ago, no minister, he believed, would have ventured to defend.

The resolution was read and agreed to:

On another article of the estimates,

Major Maitland observed, that great credit was assumed by ministers on the expedition with which they made new levies. The fact was true; but the public ought to know the manner in which they raised men. Government allowed 5*l.* bounty for each man, and out of a fund raised by the sale of commissions, 10*l.* more was paid, making 15*l.* bounty for every man. Thus they added to the list, a number of supernumerary officers, and were in fact borrowing money for the public by annuities of the most disadvantageous kind. A second Lieutenant-Colonel and a second Major to each regiment were clearly added for no reason but the money paid for their rank. It was, in his opinion, unconstitutional to raise money, even in this way, without the consent of Parliament. But it was certainly fair, that if more men than usual were raised, the public should know that more money than usual was paid for each.

The Secretary at War said, the men already levied, were not raised by the regulation alluded to, which was too recent to have yet produced much effect: 11,000 men had been raised by Independent Companies, and if the other mode should succeed as well, it would add such a number of men to each regiment as would make a second Lieutenant-Colonel and a second Major necessary.

Major Maitland explained his former arguments, and contended, that the mode of selling rank for the purpose of levying men was unprecedented, and raising money by annuities in the very worst way.

Mr. Steele said, it was a wise mode, generally approved of in the army, and very economical; and perhaps the Honourable Gentleman might have availed himself of it to get a step forward in his profession.

Major Maitland said, when he animadverted on a measure as a Member of Parliament, he did not expect to be answered by

a per-

FEB.

a per
himf
prof
this
main
Hou
Col
regim
rank

The
questi

On
Col

home
the la
purpo
to be
ties.
in que
ped er
Scotch
only 8
be we
raise
fencib

Mr
been f
cause
with
presly
the u
had n
taken

The
brough

The
brough
the C
should
land-ta
inconfi
the H
tion.
clauses

a personal allusion to himself. He had, it was true, availed himself of the mode in question, to get forward a step in his profession, because he knew that, without availing himself of this or some such opportunity, his military situation must remain the same as long as Gentlemen on the other side of the House continued to sit where they now were.

Colonel Macleod asked, whether or not the officers of the regiments in India were to have the same opportunity of getting rank by purchase, as the officers of other regiments.

The Secretary at War at first gave no answer; but on the question being repeated, said, he did not know.

On the article for the pay of the Fencibles,

Colonel Macleod said, the Right Honourable Secretary for the home department had promised a militia for Scotland, early in the last session of Parliament. He had brought in a bill for that purpose in June, and moved that it might be printed, in order to be sent to Scotland for the consideration of the several counties. He had not obtained nor met with a single copy of the bill in question, in Scotland, and therefore he supposed it was dropped entirely. If it had been printed, he was an unfortunate Scotchman however not to have seen it. He supposed that not only Scotland was to have no militia, but the fencibles were to be weakened, for he understood that Gentlemen who were to raise new regiments, were allowed to take men out of the fencibles.

Mr. Secretary Dundas said, if the Honourable Gentleman had been so unfortunate as not to have seen the bill, he was the cause of his own misfortune, as he might have carried it with him to Scotland; the bill having been printed not expressly for the purpose of being sent into Scotland, but for the use of the Members of the House. He added, that he had never heard that men for the new regiments were to be taken from the fencibles.

The report from the Committee of Ways and Means was brought up, and agreed to.

CATHOLICS.

The Solicitor General reminded the House, that when he brought in a bill some sessions since, for the relief of the Catholics, it had been doubted whether or not they should be exempted from the double assessment to the land-tax. The sum raised by this double assessment was inconsiderable as an object of revenue, and he thought the House would be happy to abolish so odious a distinction. He therefore proposed, that in the land-tax bill, the clauses subjecting Roman Catholics and others who refused
to

to take certain oaths to double assessment, should be left out. This was unanimously assented to.

The Attorney General brought in the bill to prevent property in this country belonging to persons resident in France from being applied to the use of those who exercise government in France; which was read the first time, ordered to be printed and read a second time on Thursday next.

MOTION FOR AMENDMENT OF SCOTS CRIMINAL LAW.

Mr. Adam said, he rose to perform the duty which he had undertaken towards the close of the last session of Parliament relative to the criminal law of Scotland, and the practice of the Court of Justiciary. The House would recollect the notice he had then given and renewed with some alteration in the present session. Whatever opinion might be formed of the proposition he meant to submit to the House, he hoped for indulgence and a candid construction of his motives. And if there were no other reason for it, he trusted, he might claim it, because it was nineteen years since he had the honour of sitting in Parliament; and although during that period he had often troubled the House on the different subjects under discussion, that was the first time of his bringing forward any proposition of his own, and he promised to take up as little of their time as possible. He said, he had given the subject he was about to submit to the judgment of the House the most deliberate consideration; and perhaps the best mode of explaining it to the House, would be to detail the history of it as it stood and had passed in his own mind. He had occasion to bestow much reflection on the Articles of Union, and the history of the period at which they were concluded. He had been led to the subject of his intended motion by the discussion that had taken place on the Treasonable Correspondence bill, and by a recent decision in the House of Lords. Here he begged to be understood as not out of order, in alluding to what passed in the House of Lords, as he was speaking of them in their judicial, not their legislative capacity. He had been professionally employed in that House on a question that came before it, whether or not an appeal lay from the judgments of the Court of Justiciary and Circuit Courts of Scotland, on matter of law only, not matter of fact. An appeal was made last session from the judgment of the Court of Justiciary in a criminal case, that of *Robertson and Berry*. Some Lords thought in the first instance, that the question was already decided and at rest; while others were of opinion, that as this was a case of misdemeanour, a term he used for the sake of perspicuity, although

not

For.

not

form

argu

befo

Thu

that

stri

and

sary.

forw

H

tion

Artic

ing p

occa

law i

the l

with

trial,

Edw

Ten

amen

abolis

suffic

upon

W

your

writ

it was

tion v

the g

them,

it. I

the C

rules v

cate

posse

record

House

procee

in the

no un

these C

a pract

Vo

not the term of the Scots law, it was not concluded by the former decisions which were no capital cases, and therefore that argument should be heard upon it. It was argued accordingly before a Committee, and the present Lord Chancellor, Lord Thurlow, and Lord Kenyon, delivered their opinions *seriatim* that no appeal lay. Lord Thurlow said, that although this was strict law, as the law now stood, he regretted that it was so, and that, in his opinion, a parliamentary regulation was necessary. On these grounds, he had thought it his duty to bring it forward for the consideration of the House.

He was next to consider, whether there was any just foundation on which to proceed. He was supported by the 18th Article of Union, which said, that the law of Scotland respecting property should not be altered, unless on some very urgent occasion, but that the public law or laws of police, that is, the law in criminal cases, might be altered. Soon after the Union, the laws of Scotland affecting cases of treason were assimilated with those of England; the mode of trial, the redress after trial, the whole treason law of England, from the statute of Edward the 1st, were incorporated in the Scots criminal code. Ten other acts of Parliament had passed since the Union, amending the Scots criminal law, particularly the act for abolishing hereditary jurisdictions. These precedents were sufficient to shew, that he had a good foundation to proceed upon, if he could make out the policy of the measure.

With regard to the mode of proceeding, he should endeavour to make it the same as by writ of error in England. In writ of error there were three distinctions. In civil matters, it was granted of course. In cases of misdemeanour, application was made to the Attorney General, and he, considering of the grounds of the application, and deciding judicially upon them, granted the writ of error *ex debito justitiæ*, or refused it. In capital cases, it was to be obtained only by petition to the Crown. Mr. Adam said, he wished to follow the same rules with respect to Scotland, and to give to the Lord Advocate the same judicial discretion which the Attorney General possessed in England. In order to remove and bring up the record, so as to bring the whole matter of law before the House of Lords, some regulations would be necessary in the proceedings of the Scots Courts, respecting the mode of giving in the verdict and making up the record; but this would be no unprecedented innovation, for it was once the practice in these Courts to enter the whole of the evidence on the record, a practice which was now laid aside.

He disapproved of the practice of the jury giving a written verdict; he thought it much better for the furtherance of justice, that a verdict *ex viva voce*, as in England, should be adopted in its room; for often much benefit arose from the verbal communication between the Judge and Jury. He proposed that the indictment, the verdict, and sentence, should be removed by writ of *Certiorari*, or by writ under the Great Seal, to the Court which should have the appellate jurisdiction. With respect to the propriety of this amendment, Mr. Adam said, he thought there could be little doubt. In civil cases, although no provision was made for it in the Act of Union, an appeal from the Lords of Session in Scotland to the Lords of Parliament, was held to be the natural consequence of the Scots Parliament no longer existing; and this was now law. If it had been foreseen that there could be no appeal in criminal cases, he was sure that express provision would have been made for it in the Act of Union. The reason of it was to be found in this grand and general principle, that the court in which a case originates shall not be the ultimate court to decide. This principle, which human wisdom had set up as a guard against human infirmity and human error, pervaded the whole of the English, and with this single exception which he wished to remove, the whole of the Scots law. So general was it, that if by an act of Parliament new jurisdiction were given to any Court, the decision of that Court would not be final without express words inserted in the act to make it so. In all civil cases, there was an appeal from the Courts of Scotland. In all criminal cases there was an appeal by advocacy from inferior Courts to the Court of Justiciary.

The only objection he could imagine was, that it would be bringing matter of law before a tribunal not acquainted with the Scots forms of proceeding. This would apply more forcibly to the appeal in civil cases, for in criminal cases the trial was by jury, and the proceeding much more similar and analogous to those in England. It could be considered as no reflection on the Scots judges, for if it were, the proceeding from court to court in England would be, what no man ever conceived it to be, a constant reflection on the English Judges. It would lead to accuracy in receiving evidence and making up the record, so essential to the ends of justice; and it would open to the Scots lawyers all the valuable repositories of English criminal law, and make them familiar with those great lights of criminal jurisprudence, Hale, Hawkins, and Blackstone, and that valuable repository of criminal law, the State Trials. What he proposed, Mr. Adam said, was no novelty, for it stood upon pre-

precedent; it was within the meaning of the 18th. Article of Union; and it was founded on the principle he had already quoted, that the court in which a case originates ought not to be the ultimate court to decide.

If he succeeded in this first proposition, of which he had given notice in June, he should afterwards move the other proposition, the nature of which he had explained a few days since.

His motion was, That leave be given to bring in a bill "to grant an appeal to the Lords of Parliament from the judgments of the Courts of Justiciary and Circuit in Scotland, in matters of law:"—And that the forms of the House might be strictly complied with, he should move to refer this to a committee of the whole House.

Mr. Anstruther paid Mr. Adam some handsome compliments on the candour and the ability with which he had opened the subject. He said, he had no doubt of the purity of his honourable and learned Friend's motives, but felt himself under the necessity of opposing the measure he proposed, even in the present state of it. And the reason why he held it proper to resist it, was, that it appeared to him to seek an alteration in the law of Scotland perfectly new in principle. It had been stated as a doubtful question, whether in criminal cases an appeal would lie, according to the construction of the Articles of Union? He would maintain that no case whatever could be found in which an appeal in criminal cases at any period would lie from the Court of Justiciary to the Parliament of Scotland before the Union, nor any since to the Parliament of England; nor any from the Parliament of Scotland to the Parliament of England. The Honourable Gentleman had stated one ground for his bill; doubts, expressed by Lord Thurlow, upon the propriety of such a measure; he supposed, if that noble and learned Lord had thought that such a step should he adopted, he would himself have proposed it; but whether he thought so or not, made little difference, for the point had been decidedly settled by an opinion given by Lord Mansfield, who, in 1781, had declared, that no appeal lay to this country. The motion, therefore, was not to recal the law of Scotland to its original purity, but to establish a new line of practice, and to make an essential alteration in the principle of the law, which was that of allowing no appeal whatever in criminal cases, from the determination of the Courts of Scotland. He must also oppose it on another ground, that of expediency. He believed the attempt at making any alteration in the law of Scotland at this time,

would be very unpopular, for he had no doubt whatever, that the great mass of the people of Scotland were perfectly satisfied with the administration of justice in that country such as it now was, and as it had long continued. It had been said, that the principle; that no court should possess the power to begin and finally close a proceeding, was universal. This, he denied, and referred him to the High Court of Parliament, where Peers and Commons were tried from first to last. If ever there was a country perfectly happy under the administration of its laws, Scotland, he said, was that country; and if there were any individuals of another disposition in Scotland, they were so few in number as not to be worth mentioning. He therefore wished the House to reflect on the danger of making any alteration in laws that gave general satisfaction. Mr. Anstruther entered into a discussion of the nature of writs of error, of the value of which they had heard so much, and maintained that in criminal cases a writ of error was not a writ which the subject could claim as a right, but that it was a mere grant of favour from the Crown, as much so, and even more, if possible, than a pardon. This was the law of England with respect to a capital offence. In cases of misdemeanour a writ of error was not a matter of right to the subject; it was wholly at the discretion of the Attorney General. He objected on these accounts to the analogy which his learned Friend had drawn between the right of appeal and that of writs of error, or rather, if they were alike, it did not from the nature of writs of error follow, that appeals should be had in criminal cases which had never been allowed by the law of Scotland. He objected also to the practice of introducing the doctrines of either Hale, Hawkins, or Blackstone, as expositions of the law of Scotland: This would produce endless confusion in the courts of law in that country, and if he was bound to take either, he would prefer a short bill at once to declare, that the law of England shall be the law of Scotland. He was, under all these circumstances, bound to oppose the motion.

Mr. Serjeant Adair said, he had not expected that a proposition of this kind would have been opposed as it had been by the learned Gentleman who spoke last, and least of all, that it would be objected to on such extraordinary grounds. He could not help applauding the candour, as well as the ability, with which the subject had been opened. The importance of it also demanded the attention of the House, and he did not see how that attention could be fully given to it, if the motion was rejected, for the whole of the merits of the question would

would in that case be laid aside; and he could not help saying, that his learned Friend had stated ample ground to call at least for discussion, and nothing more was asked by the present motion. The Serjeant said, he differed widely from the learned Gentleman who had just preceded him in the debate, upon the idea that the House should not enter into any discussion of the alteration of the law of any part of this kingdom, unless the people of that part had expressed a general wish for that purpose: He thought it, on the contrary, the duty of that House to inquire into such matters of themselves; and great indeed might be the grievances of the people before redress would be had by their application, for their application would not come until their sufferings were almost beyond endurance; and he believed there were but few instances of laws being amended from the general application of the public to their representatives: It was the duty of Parliament, as the legislative body, to examine into, and correct the defect of the laws. He differed also from the learned Gentleman in his construction of the nature of a writ of error. He had stated, that a writ of error in a capital offence was matter of pure favour from the crown. That was not his idea of that writ. He took it to be a matter of justice to the subject to grant that writ on a fair ground being laid for the application. If the indictment be substantially defective, the subject will be entitled to a writ of error, as matter of right. It was true indeed the subject had no means to compel the granting of the writ, for the law was silent upon that subject; but it was a prerogative of his Majesty to grant it, and like other high prerogatives of the Crown, the constitution placed it in his Majesty's hands, in the confidence that it would never be abused, and holding those responsible to the public, who should advise his Majesty to abuse it. He differed too from the learned Gentleman, as to the unpopularity of the measure, and the hardship of subjecting the people of Scotland to the law of England; he did not by any means think that the people of Scotland would have much reason to be dissatisfied with such an alteration, or that any Gentleman would be very unpopular who should propose such a measure. Indeed some recent rumours from that part of the country, rendered the information of the learned Gentleman doubtful, as to the great satisfaction felt by the people of Scotland, from the administration of justice that there obtained. The learned Gentleman had said, he would prefer a short bill at once to annihilate the whole Scottish law, and to declare that the law of England should be the law of Scotland. He differed in opinion entirely upon this point, conceiving

conceiving that every alteration in the existing law should be gradual.

The English constitution had not arrived at its present perfection by the contemplations of the legislator in his closet. It was by the progressive wisdom and experience of ages, blended with the urgency of circumstances. A gradual, safe, silent, and almost imperceptible mode of assimilating the laws of the two countries, was, in his opinion, the most prudent and eligible method of proceeding. It was strictly recognized by the Article of Union, as had been stated by his Honourable Friend, that the Parliament of Great Britain might enact such laws respecting the public rights as might be deemed advantageous and politic, but the civil laws of the two countries were to remain unaltered. This was a wise distinction, and ought to be attended to. There was one ground, however, which had been advanced by his Honourable Friend, in favour of the motion, to which no answer had been given. The great benefit of an appellant jurisdiction; the right of appealing, and the power of reviewing the conduct of an inferior court. It was doubly good, it was good for the court appealed to and the court appealed from, making each more cautious than it otherwise would be in coming to a determination.

The Honourable Gentleman had said, that if the noble and learned Lord alluded to had entertained any doubt, he would himself have been the properest person to have brought forward the motion; this, he conceived, was no argument against its being introduced by his Honourable Friend. For this, and the other reasons which he had stated, the Serjeant declared he would support the motion, not pledging himself to agree to all the provisions of the bill, when brought in, but only to support the general principle on which it was founded.

Mr. Anstruther explained.

Mr. Solicitor General said, his opinion was, that the English and Scotch had a partiality for their respective systems of law. There might be prejudices, but they were such as should not be destroyed. Nor would it be right to inspire any jealousy between the two countries. The institution of the courts was different. He observed, that the courts of Scotland were framed with a view to the laws which they had to administer, and therefore there would be danger in attempting to change them. The noble Lord himself (Thurlow) would, in his opinion, be the properest person in another House, if he had thought it a matter of expediency. Unless therefore much stronger

stronger grounds were laid, than had been stated in support of the motion, he should deem it his duty to oppose it.

Mr. Fox argued in support of *Mr. Adam's* motion, and began with remarking on the very singular mode in which the question had been discussed. It had been said, that they were not to interfere till they received complaints of the judicial power from the people; this, he said, was one of the most dangerous maxims he had ever heard. The legislature were perfectly competent without the application of the people, and were better calculated to judge what it would be wise to adopt for the general welfare. With regard to the definition given by the learned Gentleman of the nature of a writ of error, it was, in his mind, the very reverse of the spirit of the constitution; and he was not a little surprised that the learned Gentleman should have so soon forgotten his constitutional principles. He seemed to be desirous of adopting the detestable laws of France, which had been so universally reprobated and held in detestation. The Honourable Gentleman had said, if any body ought to bring forward such a motion, it ought to be Lord Thurlow. This was no reason why any other Gentleman in that House should not bring it forward; but if there be any argument in it, it was in favour of his Honourable Friend's motion that Lord Thurlow did express a doubt on the subject. If so, he conceived it to be an object that ought to be undertaken. *Mr. Fox* took an historical view of the law of Scotland and of England, and maintained, that from time to time all the wisest men had uniformly inculcated that doctrine, and it was that which brought our constitution and our laws to what they were. The contrary doctrine led us back again to the barbarism out of which we emerged. Before the Union, if he was accurate in his recollection, when the Scotch law was in a barbarous state, appeals had been made to the Privy Council; and the obvious intent of the present bill was to put the Lords in the same situation as the Privy Council. It was their duty to follow the spirit of the Act of Union, and that gradual assimilation between the laws of the two countries, that would tend to their mutual advantage. The Honourable Gentleman opposite had mentioned situations in this country, where a man could not have the benefit of appeal. The Honourable Gentleman had alluded to the trial of a Peer—in this case he contended that there was an appeal, and in arrest of judgment. *Mr. Fox* entered into an animated defence of the right of appeal, and contended in favour of an appellant having a power to obtain jurisdiction from the determination of any court, not that he meant to impute corrupt motives to any body of men, but because the very principle of an appeal was the wisest that ever was

was attended to in the formation of laws for civil society; for it went to confess our infirmities in all stations of life, and in his opinion the greatest proof of human wisdom was the recognition of the weakness of human judgment.

Mr. Anstruther, in explanation, said, he did not mean to say, that there ought to be a general complaint of the people before any step towards an alteration took place; but that, in a case which was supported by no other arguments, it might have been expected that at least the general wish of the people would have been stated as an inducement to the House.

Mr. Serjeant Watson, in a short speech, assigned his reasons for giving his negative to the motion.

The Master of the Rolls began his opposition to the motion, by emphatically stating, not only the utility, but the comfort to a judge, of an appellat jurisdiction. In his judicial situation he declared he felt it in the strongest degree. Were his judgments to be final, it would be to him a source of misery and uneasiness, as it would load him with the most distressing responsibility. But he could not see the propriety of introducing that principle into the criminal law of Scotland. It was new—The Scots criminal law and that of England had no affinity whatever. In England, the criminal law was by long experience brought to great perfection, and all the different gradations, such as capital felonies, clergyable felonies, and misdemeanors, were clearly ascertained and generally well known. No such distinctions were recognized by the law of Scotland; and to bring the criminal law of that country to be decided by the analogy of the criminal law of England, would, in his opinion, be very impolitic and unwise. He stated various objections also to the possibility of effecting this, even if it were deemed expedient, arising from the want of conformity in the forms of the law of Scotland to the law of England, and the difficulty of moving the record to this country.

Mr. Adam rose to claim the right of a mover to reply, but said, he would have most readily dispensed with that privilege, had it not been that misconstruction upon a matter somewhat personal (not to himself, but to a noble person alluded to in the debate) made it absolutely necessary for him to explain. He had stated, in the outset, the tendency of a noble Lord's opinion (*Lord Thurlow*) as leaning to the expediency of an appeal in criminal matter under restriction of discretion, and this had been, with more zeal than candour, tortured by Gentlemen (*Mr. Anstruther* and the *Solicitor General*) into an idea, that the noble Lord, in what he said, had given it to be understood

Fe
der
on
M
out
part
iden
bod
Th
felt
dust
perf
ters
that
thos
Scot
of ju
Thu
were
Scot
Lord
the a
the o
being
prope
indee
in civ
nesit
of the
ture o
the sa
Anstr
as to
figura
the gr
made
man to
to rem
his me
Scots
pure sp
the lea
Lord
many
and tha
vailing
VOL

derstood, that he had made up his mind to a legislative measure on the subject.

Mr. Adam asserted, that he had said nothing that would bear out such a construction of his words, but had mentioned, as part of the history of the cause before the Lords, last year, the idea of expediency having fallen from that noble person. Every body knew the respect he bore to the powerful talents of Lord Thurlow, and he could venture to declare that all Scotland felt with gratitude what he daily witnessed, the laborious industry, and enlightened mind, with which that noble and learned person superintended the judicial interests of Scotland in matters of property. Others might talk of their admiration of that noble Lord; he would rest his on this proof, whether those who jealously withheld from him the superintendence of Scots criminal judicature, or he who wished to have the spirit of justice, and habits of accuracy, which prevailed in Lord Thurlow's mind, pervade the criminal system of Scotland, were his most sincere admirers. It had been the happiness of Scotland to have English Chancellors, Lord Hardwicke and Lord Thurlow, to overlook their civil code; and he wished the advantage to be extended. He enlarged on the absurdity of the objection arising from the penal laws of the two countries being different, and therefore the appeal in criminal cases improper. He shewed the difference in civil cases to be great indeed, from the rules of property being unlike, yet the appeal in civil cases was highly approved, was held to be a great benefit, and universally so acknowledged. In the criminal code of the two countries there must be more analogy from the nature of the thing, as breaches of morality were every-where the same. It had been assumed by a learned Gentleman (Mr. Anstruther) as if he had proposed to force the law of England as to criminal matters upon Scotland, because he had alluded figuratively to the advantages to be derived from the perusal of the great authors of the criminal law of this country. If he had made any such proposition, he challenged the learned Gentleman to prove it. He had supposed, on the contrary, the law to remain the same; but he had held that one salutary effect of his measure would be to induce the perusal of those authors by Scots lawyers.—Why? Because in them were to be found the pure spirit and substantial principles of criminal justice. Was the learned Gentleman yet to learn, that the powerful mind of Lord Hale had reached to nothing but technicals, or that in many technical rules there is not included substantial justice, and that that illustrious Judge had not unfolded the grand prevailing principles of criminal jurisprudence upon the eternal

and unerring principles of general justice, applying alike to all nature?

The learned Gentleman, in the same candid spirit, had represented the measure as intending to give an appeal from what is called the relevancy of the libel, that is, the examination made by the Court into its sufficiency, and the degree of guilt it would infer.

Had he made any such proposition? No. He had not so proposed to deviate from principle. He knew a case, indeed, in which that principle was adopted; "The East India Judicature bill;" An act to which he supposed the learned Gentleman was *now* a convert. That act gave a demurrer to the information, which amounted to a pleading on the relevancy—and a writ of error from that demurrer, to be tried in the first instance, by the Court of King's Bench, but then what did it do? After the verdict or judgment of the new Judicature, all redress stopped—There was no farther appeal—That was not his (Mr. Adam's) principle—He knew that the true legal, and advantageous time for the accused was after verdict—that in criminal cases, verdict cured no defects in the indictment, and that one main object of criminal law, being to secure against illegal convictions, it was at that period only he meant to give the appeal.

The same spirit had led the learned Gentleman to object, because there was nothing stated in the opening, which established that it had ever been the law of Scotland, to have appeals from the Justiciary. Mr. Adam said, as to that, although he was completely satisfied with the decision of last year as a lawyer, yet he had good reason to support the statement of his Right Honourable Friend, Mr. Fox, that there had been appeals to the Privy Council; and when he said so, he was fortified by the acquiescence of Lord Loughborough, who in the Committee of the Lords had objected to his (Mr. Adam) quoting them as instances before the Council, not because they were not founded in fact, but because the Privy Council of Scotland was an odious and unconstitutional tribunal. But he did not found on that. He admitted in the fullest extent the effect of the consecutive decisions in the House of Lords, to have settled the law, and the complete and ample manner in which the judgment had been given, as well as the patient hearing which had preceded the judgment of last year; but he asked whether, as his learned friend (Mr. Serjeant Adair) had said, he had not proposed to bring in an enacting bill—an observation which overflew every argument attempted by the learned Gentleman and his coadjutors upon that head of objection. He had founded his proposition on principle, and supported it on precedent; and

and it was opposed by a subversion of the soundest principles of judicial jurisprudence—the necessity of an appellant jurisdiction, and the security of the accused, without any one precedent, but with the most complete evidence that the judicial jurisprudence of both countries was against their argument throughout, in which, with the single exception in question, the system of appellant jurisdiction prevailed.

Nay, the Right Honourable and learned Gentleman (the Master of the Rolls) had said, in a manner that did him honour, that he felt in his situation the highest satisfaction in having an appellant jurisdiction over him. From which indeed he drew a strange and most unlogical conclusion, that because he felt its comforts and acknowledged its benefits in his sphere of judicature, he would deny the comfort of it to the Scots Lords of Justiciary, and prevent the benefit being extended to the Scots nation. And why? because forsooth the laws of the two countries are not the same. Are they, said Mr. Adam, again, the same in civil matters?

Was it ever proposed to make the laws the same, by this measure? The assimilating in certain matters belonged to another bill. Was it said, or hinted, in the opening that the Scots criminal law knew the distinction of capital and clergyable felonies, though they did know misdemeanors or delicts as distinguished from capital crimes? No, said Mr. Adam, but the reverse. He professed not to touch that branch of the law at all that regarded capital crimes. But he would tell the learned Gentleman (the Master of the Rolls), where that matter was ignorantly, carelessly, and inexcusably confounded. Here Mr. Adam read the title of the act of the 25th of George III. cap. 46, as follows: "An Act for the more effectual transportation of felons, and other offenders, in that part of Great Britain called Scotland." Mr. Adam then said, he did not recollect who was the Lord Advocate of that day. But he knew (looking to the Master of the Rolls), who was the Attorney General. The Right Honourable and learned Gentleman then, those careful, wise, and consistent legislators over against him, were the persons to be accused of confounding the law of Scotland, and introducing the term Felony into it, which it did not know, while he was free from any such intent.

It had been complained that the people in Scotland would be tried by maxims they knew nothing of. Was it so? was there any such proposition in an appeal to be decided on the existing laws of Scotland? This might have been said when the Union was made more perfect, by rendering the treason laws of the

two countries the same—and any argument which had been that day offered might have applied to that bill; might have applied inconclusively indeed to all the other legislative acts respecting the Scots penal code, which he had enumerated in the opening; but could not, by any perversion, have any weight against his measure for an appeal restricted to mere error of law, and restrained by regulations similar to those existing in this country. Mr. Adam said, he had gone through all the arguments which had been offered against his proposition but one; an argument which, however devoid of real solidity, was of too much importance, from the aspect it bore and the motive which suggested it, to be passed over. It had been said by the learned Gentleman (Mr. Anstruther) that the people of Scotland did not wish it; that they had made no complaints and had not called for it. Mr. Adam said, it was not his mode to attempt any thing through that medium; he knew not by a canvass what their wishes were. As a legislator, representing a particular place, or, by the fiction of the constitution, the whole community, he felt himself called upon to consider exigencies, and to cure defects, without consulting or canvassing for external support: Upon that principle, he had first minutely inquired and deliberately considered, and had upon that inquiry and deliberation most steadily determined. To effect a measure which he knew must be beneficial to that part of the country for which it was meant, by improving their civil condition and securing their rights, was a consideration of much higher importance than the regulations of municipal law, in as much as life and liberty were of more importance than the objects of the civil code. Why did he press this now? because it never could be too late to do a right thing. What the wishes of the people of Scotland were, he had said, he could not tell from canvassing them, but he knew what they ought to be; and as he was convinced of the rectitude of their intentions, the justice of their feelings, and the accuracy of their information; as he knew that the bulk of that people had been growing in improvement from the period of the Union to the present time, that the tyranny and darkness which then prevailed was dissipated, and that they felt with ardour the blessings of civil and political liberty, without having a tendency to licentiousness or anarchy—he must believe, that they would wish that which tended to promote what was equally necessary to individual safety and public tranquillity. It was his most anxious wish to promote the interest, and add to the happiness of that country where he first drew his breath; a country to which he was attached by every tie of gratitude and
love;

love; a country, which he would pledge himself never to betray. That if it should ever be his fate, that his name should have a place in the history of his country, it would be his most devout and ardent wish that the measure he had proposed should accompany it, in its descent to future times. And as between the learned Gentleman (Mr. Anstruther) and himself, he was ready to refer to that unerring and impartial tribunal, posterity, the rectitude of his conduct, the wisdom and popularity of his proposition.

Mr. Adam concluded, with strongly and forcibly stating to the House, that no objection had been made to the principle of his proposed bill. The objections all rested on detail and regulation; that so far from being objections to apply to the bringing in of the bill, they would not even lie on the second reading; but were matter for the committee. These difficulties he pledged himself to guard against by provisions; but it was neither candid nor just to acknowledge the candour of the mover, not deny the justice of the measure, and yet reject it on its first appearance.

Mr. Adam gave notice, that in the month of March next, he should bring forward another part of the measure which he had opened that night.

Mr. M. Montague, Mr. Stanley, and Mr. Drake, severally spoke against the motion. Among other emphatic expressions, Mr. Drake said: *Nolumus leges Angliæ et Scotiæ mutari.*

The House divided, for the motion	31
Against it	126

Adjourned.

WEDNESDAY, February 5.

In a committee, went through the American Intercourse Bill. Ordered that the report be received to-morrow.

The Speaker informed the House, that he had received from Sir Robert Abercrombie, an answer to his letter of the 7th of June 1793, transmitting to Sir Robert Abercrombie the thanks of the House.

THE BUDGET.

The House having resolved into a Committee of Ways and Means;

The Chancellor of the Exchequer said, he rose to lay before the Committee as fully, but at the same time as concisely as he was able, the various important particulars which were that day necessarily to be submitted to their consideration. In doing this he should call their attention to the several heads of Supply

Supply and Ways and Means, in the order in which he proposed to arrange them. First, he would state the extent of the provisions made, according to the votes and estimates, for the various branches of the public service, for the vigorous prosecution of the war; secondly, all the articles of Supply and Ways and Means; and thirdly, all the particulars of the Loan, the resources arising from other measures of finance, and the new taxes necessary for defraying the additional expence of the interest of the loan. On the first of these heads it would scarcely be necessary to dwell, as it had already come before the House in detail. He should only remind the Committee that the first question for every man who felt for himself, for his country, or for mankind, was to be satisfied that the measure of our exertion was adequate to the end we had in view, or limited only by the extent of our ability. When the contest, in which we were engaged, was for the whole that we possess, surely no man could hesitate to contribute a part.

The first head of public service in the order of the votes, and in the general opinion and favour of the country, was the Navy. In the second year of the war 85,000 seamen had been voted, with the satisfaction of knowing that at the end of the first year; commenced with only about 10,000 of that number, the increase had been between 50,000 and 60,000; that we were now nearly arrived at the number voted for the second year; and that the increase of the number of our ships had kept pace with the increase of the number of our seamen. The augmentation of our naval force was almost in proportion to our wishes, and much greater than had been effected at any former period within the same time. In a contest with one nation only, it was, in the first year of the war, nearly equal to what it had been when we had to contend with almost the united naval force of Europe. The Committee would observe that a vote for 85,000 seamen was sufficient to cover the employment of a much larger number, if occasion should require, and a larger number could be obtained in the course of the year.

The House had already concurred in voting all that was required for the Army at the present time. The actual augmentation in the first year, had been more rapid and extensive than had been known in any former period of our history, and larger than at the conclusion of some wars. 30,000 effective men of British troops had been added in the course of one year; and for the second year, the House had voted 30,000 more—a number fully sufficient, if they could be obtained. The total of our army, including regulars, militia, and fencibles, was above 140,000 British troops. But besides these, the necessary charges had been voted for between 30,000 and 40,000

The
80,000
deficie
malt ta
In a
sum of
per to a
above t
it had n
while
thought

40,000 foreign troops. In the Ordnance branch also, the augmentation had been greater than formerly, and in proportion to the circumstances and new principles introduced in this war. The artillery consisted of between 5000 and 6000 men.— So that the whole number of men employed, including seamen, regular British troops, militia, fencibles, foreign troops in our pay, and artillery, amounted to 250,000. If he could prove that we were able to provide for and support that force, it would, he trusted, be admitted that ministers had not been deficient in point of diligence, and that their exertions had been equal to the exigency of the occasion, and proportioned to the necessity which called for them.

A large provision, the Chancellor of the Exchequer said, was to be made for the exceedings of last year; and although he lamented the necessity of the demand, it was some satisfaction to know that it arose chiefly from the rapidity with which the number of seamen had been increased, and ships fitted and victualled for service. From the very nature of the expence, it could not occur again in any thing like an equal degree.

There had been already voted, for the three different services, that he had mentioned,

NAVY.

General service of the Navy	-	-	£. 4,420,000
Ordinaries	-	-	558,000
Extraordinaries	-	-	547,000
Total amount of the Navy	-	-	<u>5,525,000l.</u>

ARMY.

General service	-	-	4,362,000
Foreign Troops	-	-	1,169,000
Extraordinaries for 1793	-	-	808,000
Total amount of the Army Estimate	-	-	<u>6,339,000l.</u>

ORDNANCE.

Ordinaries	-	-	324,000
Extraordinaries	-	-	377,000
Debt incurred last year, and unfunded	-	-	643,000
Total of the Ordnance	-	-	<u>1,345,000l.</u>

The miscellaneous services were 206,000l.; exceeding by 80,000l. the estimate of the Finance Committee of 1791. The deficiency of grants was 474,000l.; deficiency of land and malt taxes, 320,000l.

In addition to the war and ordinary charges, there was a sum of 200,000l. which the House in 1792 had thought proper to appropriate to the reduction of the public debt, over and above the other appropriations for that purpose; and although it had not been made perpetual, he wished not to depart, even while under the pressure of war, from what it had been thought advisable to do in a season of peace and prosperity.

The

The Exchequer Bills, amounting to 5,500,000*l.* it had been usual to discharge, and to issue new bills for the same sum, and therefore to leave them out on both sides, in striking the balance between the Supply and the Ways and Means. At present, it was necessary to include them in the account, because he intended to make a provision for any expences, over and above the estimates and votes of supply, that might be incurred in the course of the year. Any sum for this purpose must necessarily be taken on conjecture; and he meant to propose that the Commissioners of the Treasury should have a vote of credit for 2,000,000*l.* in Exchequer Bills. Last year 1,500,000*l.* was voted for the same purpose; and that the amount of Exchequer Bills might not be to great, an equal sum was paid off: for the same reason he should in the first instance issue only 5,500,000*l.* of Exchequer Bills this year, which would leave an opening for the 2,000,000*l.* on the vote of credit, if it should be found necessary to issue the whole or any part of them. The whole supply would then amount to 19,940,000*l.* consisting of the following heads:

Total amount of Navy, Army, and Ordnance	£. 13,209,000
Miscellaneous Services	205,000
Deficiencies in Grants	474,000
Ditto in Land and Malt Tax	350,000
Additional sum to the Commissioners for discharging the National Debt	200,000
Exchequer Bills	5,500,000
Total amount to be provided for	19,939,000

The Ways and Means to provide for this were, land and malt, 2,750,000*l.*; exchequer bills 3,500,000*l.*

The amount of the permanent taxes, from the 5th of January 1793, to the 5th of January 1794, was 13,941,000*l.* considerably less than the produce of the year 1792, but greater than the produce of the year 1791. The produce for the present year was to be estimated either on an average of former years, which were years of peace, and therefore to be taken with some allowance, or on the produce of one year of war. Now it happened in the present instance that the difference between the two was not material. After deducting the amount of taxes repealed, the average of four years was 13,994,000*l.* The charges on the consolidated fund were, for this year, 11,797,000*l.* The growing produce of the consolidated fund, applicable to the purposes of Ways and Means, was therefore 2,197,000*l.* Although the East India Company might suffer some temporary defalcation of profit, by the increase of freight and the decrease of sales, yet they had obtained such ample security for their establishments in India, by the capture of all

the

Fr
th
for
a y
the
rai
H
Way
Finan
there
nue
500,0
duce
nance
additi
be ad
In
3,200
cumul
to fun
at a di
ceive a
fairly e
forward
say, tha
of the
bills in
issued;
the date
been th
the tim
qualified
bills, w
geous to
bills to
should a
There
year, bu
The exp
VOL.

the enemy's factories and settlements, that there was no reason to apprehend any inability on their part to pay the 500,000*l.* a year to the public. The sum then wanting to make good the whole of the supply was 11,000,000*l.* and this was to be raised by loan.

He enumerated the articles as follows:

WAYS AND MEANS.

Malt Tax	-	-	-	£ 2,750,000
Exchequer Bills	-	-	-	3,500,000
Growing produce of Taxes, after answering				
Charges of Consolidated Fund	-	-	-	2,197,000
From the East-India Company	-	-	-	500,000
Loan	-	-	-	11,000,000
				£ 19,947,000

He next entered into a comparison of the several articles of Ways and Means for the present year, with the estimate of the Finance Committee in 1791, from which he made out that there was now in the second year of war 800,000*l.* more revenue applicable to the public service than in 1791. Of this, 500,000*l.* was paid by the East-India Company; but the produce of the permanent taxes exceeded the estimate of the Finance Committee in 1791 by 522,000*l.*; and after deducting additional charges on the consolidated fund, left 300,000*l.* to be added to the sum paid by the India Company.

In the course of the last year the navy debt had increased 3,200,000*l.* This he did not mean to leave, as in former times, accumulating till the end of the war. He did not, however, propose to fund the whole of it, because, as navy bills had been issued at a discount, those who held bills of the latest date, would receive a greater profit, and an earlier payment, than they were fairly entitled to. On this subject, however, as he should bring forward a proposition on a future day, it was only necessary to say, that he meant to make immediate provision for the interest of the whole sum; to fix a period for the payment of navy bills in ready money within fifteen months after their being issued; and instead of allowing no interest till six months after the date of the bills, which, he knew not for what reason, had been the former practice, to allow four per cent. interest from the time of issuing. This, he was informed by persons well qualified to judge, would put an end to the discount on navy bills, which had always, in time of war, been so disadvantageous to the public. He should propose funding all the navy bills to March 1793, about 1,900,000*l.* provided the holders should agree to the terms he meant to propose.

There might also be some increase of the navy debt this year, but nothing like what the increase last year had been. The expence of transports was uncertain, and might exceed

the estimate by 500,000*l.* The usual sum of 4*l.* per man per month for pay and victualling, fell short of the actual expence about nine shillings a month, which would make 500,000*l.* more. For the probable exceedings of the navy, he meant therefore to allow one million more, and to provide for the interest of it, that no debt might appear to be withheld from public view, and that the system formerly laid down might be strictly adhered to.

In negotiating the loan, he had endeavoured to encourage a free and open competition among monied men, without having any thing to do with the distribution of it; taking care only that the bidders should be of such responsibility as to insure the payment of the first deposit, which might be considered as the security to the public for the rest. Five most respectable sets of monied men had offered, and the effect was such as might have been expected: The terms were highly favourable to the public; and what was also desirable, he hoped safe to the lenders. For 100*l.* they were to receive 100*l.* 3 per cents, 25*l.* 4 per cents, and 11*s.* 5*d.* long annuity. At the current prices of the day on which the bargain was made, these were worth,

100 <i>l.</i> 3 per cents,	-	£	67	10	0
25 <i>l.</i> 4 per cents,	-		21	0	0
11 <i>s.</i> 5 <i>d.</i> long annuities,	-		11	9	9
Total 99 19 9					

This perhaps was the first instance of a loan, in which the fractional difference between the sum borrowed and the sum to be paid, was in favour of the public: In which the discount on prompt payment was the only premium to the lender.—The discount on 90*l.* *viz.* the sum remaining to be paid after the first deposit, for eleven months, at 3 per cent., was 2*l.* 9*s.* 6*d.*; which, added to 99*l.* 19*s.* 9*d.*, made 102*l.* 9*s.* 3*d.* for every 100*l.* of the loan. This was no doubt a considerable premium, but the smallest he believed that ever had been given.

The annual sum to be provided for the payment of interest, and one per cent. for the gradual liquidation of the capital, in conformity to the system sanctioned by Parliament, and not to be departed from, even during war, was for the loan 650,000*l.* adding the sum to be provided on the same principle, for the actual and expected navy debt, would make 898,000*l.*

The Glove tax produced so little, and was found to be so vexatious to those who paid it, that he meant to repeal it, even at a period when it might seem that no resource of revenue, however small, ought to be relinquished. The tax

on Births and Burials, which had been imposed rather as a regulation, and more with a view to information than revenue, he meant also to repeal. These together had produced about 10,000*l*. The whole sum, which he had to provide for, would thus be 908,000*l*.

To call for so large a sum, must be matter of regret at any period; but if the circumstances of the time required it, the same circumstances allowed not of hesitation. If the charge was large, the largeness of it arose from bringing forward with scrupulous exactness every article of present expence, and adhering with strictness to the system adopted for the gradual reduction both of the old and the new public debt; and the House would have the consolation of knowing, that, as his Majesty had stated from the throne, there were such means as would meet the exigency, without any pressure which could be severely felt by the people.

Of the taxes imposed in 1791, a burden they had experienced and knew could be borne, the average produce, after deducting the amount of those which had been repealed, and which he did not mean to renew, was 635,000*l*. The annual charge upon them was 250,000*l*. leaving a surplus of 385,000*l*. By the new regulation of the duty on spirits in Scotland, there was a surplus, over and above making good the repealed duty on coals, of 43,000*l*. This having been tried for one year only, would probably increase; and with the sum above-mentioned, might be taken at 430,000*l*. The remainder was to be provided for by

NEW TAXES.

The first that he would mention, was an additional duty on British and foreign spirits. On these it was desirable that the duty should be as high as possible, without affording such advantage and temptation to smuggling, as might operate as a premium to the illicit trader, and tend materially to injure the revenue. Formerly it had been so high, as to produce this inconvenience, and a remedy had been applied by lowering the duty. It was afterwards thought that, when the capital of the smugglers was destroyed, or diverted into honest channels, the duty might be somewhat raised without danger; and the experiment had succeeded. The facility of smuggling French brandies, the great article of smuggling, was at present annihilated; for even smugglers were not exempted from the general proscription of the National Convention. The smuggling of rum had always been small, from the distance from whence it was brought, and the nature of the vessels in which it was imported, and also because it might easily be watched. When peace came, and with it the opportunity

tunity of smuggling from the French coast returned, the additional duty might be repealed, as the increased produce of other branches of revenue would more than make good the amount.

New buildings certainly had not decreased in consequence of the tax on bricks and tiles; on these articles, therefore, he should propose an additional duty.

Slate and stone being employed for similar purposes, ought to pay in proportion, as far as that could be ascertained: But as it would be difficult to collect a duty upon all that could be raised from quarries, he meant only to propose a duty on such as came coastways.

He would next propose a tax, on what might fairly be considered as a mere article of luxury, plate and crown glass.

The multitude of forts into which paper was divided with a view of proportioning the tax to the value, a most desirable object, if it could be accomplished, had given rise to frauds. He meant, therefore, to simplify the duty, by reducing it to three sorts only; and to add one-half to some, and one-third to others.

Last of all, a tax which had been suggested to him by the highest judicial authority in the kingdom, an additional tax upon attornies. [The bare mention of this tax excited immediate and general applause.] From the manner in which this had been received by the House, could he have done so without depriving the public of the useful services of those upon whom it was to be levied, as far as they were useful, the Chancellor of the Exchequer said, he could have wished to have made it the only tax in his budget. He meant to charge a duty of 100l. on the indentures of every person atticked to an attorney; and 100l. on the admission of every person already atticked.

RECAPITULATION.

British spirits one penny per gallon additional on the wash	£ 107,000
Brandy ten-pence per gallon	136,000
Rum nine-pence per gallon	
Bricks and tiles 1s. 6d. additional per thousand	70,000
Slate carried coastways 10s. per ton—Stone 2s. 6d.	30,000
Crown and plate glass, additional	52,000
Paper, additional	63,000
Attornies, additional	25,000
Add surplus of taxes 1791	430,000

Total £913,000

Having thus stated the amount of supply and ways and means, as well as the services to be performed, the loan and other measures of finance, he said he should be happy if the House thought the provision was ample, and the means easy as far as circum-

circumstances would admit, and likely to be effectual. What was the nature of the provision? In addition to the large estimates for the immediate service of the war, two millions were provided for extraordinary and unforeseen expences, with ample means for removing the pressure of the unfunded debt, and all this without deranging the system for the reduction of the old funded debt, the sum applied to which, besides accumulating at compound interest, was farther increased by 200,000*l*. Provision was also made, not only for the interest, but for the liquidation, of the new debt in proportion to the capital borrowed. The Navy debt was put into a state by which the inconvenience of large discount on Navy bills, so severely felt in former wars, would be avoided. If the terms of the loan were considered, it would be found that public credit and public confidence were unimpaired. The state of the revenue afforded grounds of satisfaction beyond the most sanguine hopes that could have been formed respecting it. Of the taxes great part had been already borne without inconvenience, and the rest were mostly additions to articles which experience had proved to be productive with the least possible burden to the public. The future produce of the revenue was calculated on the average of four years of peace, or on the first year of war, in which it was more likely to suffer, our naval superiority, and our improved state of preparation considered, than in any future year. The circumstances and situation of Europe (except in as far as every country engaged in the war, becoming poorer the longer the war continued, must be a less valuable customer for our manufactures), were more favourable to the extension of our trade than in 1793; because places then in the possession of France, were now delivered from the anarchy and distress, which French fraternity carried every-where along with it; but infinitely more than for any other reason, because the singular and extraordinary stagnation of trade, occasioned by the sudden and violent interruption of commercial credit, was now, and had long since been more completely at an end than any man could have presumed to hope. If the revenue had even failed last year, it would not have been very extraordinary, nor would it have been a just cause of discouragement; but its having been productive in an eminent degree, afforded a well-grounded expectation, that under all the circumstances, the produce of the present year would be equal, if not superior, to that of the last. The produce of the permanent taxes for 1793, was 13,953,000*l*. independent of the temporary taxes to be continued: This was less than in the year 1792, a year of the highest commercial prosperity, by 369,000*l*. But we did not calculate on the produce of 1792.

We

We formed our estimate on the average of four years, 500,000*l.* less than the produce of 1792; and the actual produce of 1793, exceeded that average by 137,000*l.* He stated how far it exceeded the estimates of the Finance Committees of 1786 and 1791; and added, that taken in any point of view, the revenue had produced 500,000*l.* a year more than had been expected at the most prosperous period. This excess he did not mortgage, but left to meet future exigencies, or to accumulate if no such exigencies should occur. These were our hopes in time of war, and with the surplus which, but for the war, would have been applicable to the reduction of our debt whenever the moment of peace arrived, we should recur again to that system the blessings of which we had already felt, and the progress of which had been interrupted by no fault of ours. While the war continued, we must resolve to meet it as the most important duty ever imposed by the dispensation of Providence on any nation on the face of the globe.

He concluded with moving his first resolution.

Mr. Fox said, he had last year felt it his duty to express his disapprobation of the terms of the loan, and to divide the House on the subject; he then rose to express his satisfaction, as far as he was able to judge of the situation in which we stood at present, at all that had, upon the subject of finance, been brought forward by the minister; and he was willing to admit that the loan was a prudent one: When he saw ground for approbation, he was always as ready to give that approbation, as to express his sentiments in a different manner, when he felt no reason to approve. With respect, therefore, to the loan, he begged to be understood that he subscribed to it implicitly, because it appeared to him that the terms were as advantageous as could be expected; and he conceived they would not only be so to the public, but that they would prove fair also to the individuals concerned in the transaction; he considered it as fair a bargain between the two contracting parties, as ought to be expected by either. He was particularly glad also that the minister had at last adopted what he had often been advised to adopt, namely, a plan for keeping down, as much as possible, the discount on navy bills; this was an inconvenience to the public, which he had in a considerable degree felt, and had often laboured to convince the Right Hon. Gentleman that it was extremely disadvantageous and extremely oppressive, and he was glad the Right Hon. Gentleman was at last brought to concur in that opinion. It would have been better, *Mr. Fox* said, if the whole of the navy debt had been funded long since; and therefore the plan

of the minister, for keeping down the discount upon navy bills (which had long been so enormous), as far as it went, had his entire concurrence. There was, however, a point ultimately connected with the subject now before the committee, which he could not but lament, and to which he could not help alluding: It was a part of his Majesty's speech, on the opening of the session. He lamented that such a part of the speech was adopted. He alluded to that part in which his Majesty tells his people, that the burden of taxes to be imposed upon them would not be severely felt. How was this sort of affectation becoming, either from the throne, or less authority? Upon what grounds was it justifiable to tell the people of this country, that the burdens imposed on them would not be severely felt? Why should the minister advise this? Why were the people to be told, that a burden of near one million sterling per annum, in addition to the heavy load which they bear already, would not be severely felt? Why not leave the people to judge for themselves? It was a point on which the people would form as just an opinion, as either his Majesty, or any of his ministers. Some of the taxes already imposed, were pretty severely felt, and possibly might still be more so, and that too in consequence of the taxes that were to be added now. He knew that in the discussion of the subject of taxes, it was generally admitted, that when they were imposed on the lower class of society, they would, in some measure, fall upon those who employed them: On the other hand, taxes imposed on articles of life generally bought by the rich might fall in a great measure upon the poor. It was maintained often as a principle, that taxes on luxury are fairer mediums of impost than any other. This in his opinion should be understood with certain allowances; it was not quite an easy thing to define precisely what was always to be called a luxury; that which was once clearly a luxury might from custom and habit become a necessary of life. The articles of tea and sugar, for instance, were within his meaning by these observations; for although in the simplicity of former days we were generally contented with plain food and frugal diet, yet tea and sugar were now in such common use, that he feared they were necessities of life, and necessities too which were in greater use with the lower classes of the people, than with those who had the good fortune to be in high condition, persons of rank and affluence; and therefore he could not say that some of the taxes about to be imposed (for they resembled these) would not be severely felt. They might be necessary, but that was another question. What he meant to insist on was, that the people ought to be allowed to judge

judge for themselves whether taxes were or were not severely felt, without being dictated to upon so sensible a point either by his Majesty or by his ministers.—Another tax now proposed must from its nature be a partial tax: He meant the tax on bricks, which the minister seemed to endeavour to counteract and qualify by a similar tax on slates and stones. Independent of the inequality of this duty on the two articles, the comparative distribution of this burden was beyond all calculation unequal, the consumption of those articles in the various counties throughout the kingdom considered. If Mr. Hobart was not sitting in that chair *, he (Mr. H.) could tell the Committee that this tax was partially laid on his constituents (the citizens of Norwich), and in that part of the country in which he lived; he would tell them whether he did not feel the tax on bricks fall partially, immediately, and almost altogether on particular individuals, and not on the mass of the people, as a tax ought to fall. This was another reason why the people had a right to say that taxes were severely felt. With regard to the tax on stones, he thought it a fair tax, but all the circumstances considered he was afraid it must be a permanent tax. As to the additional tax upon spirits, he had less occasion to comment upon it, as, independent of the merits of it, it was professedly intended but as a temporary expedient.

Mr. Fox added some general observations, and said, he thought it necessary to say thus much on the Right Hon. Gentleman's suggested taxes, although he should not oppose them, because he felt himself entitled to point out the operation of a tax without opposing it altogether under our present circumstances. With respect to the tax on paper, he confessed he did not yet know enough of the subject to deliver an opinion on it. But with regard to the tax on attornies, notwithstanding the applause with which it was received, he felt some doubts upon it, as to what it might do, unless it was meant in some degree as a regulation, and some doubts too as to the effect of that regulation. A tax was already imposed upon them, both for a licence and part of their practice, under the idea that the customer might pay it. This might be very true, but perhaps the tax might operate partially, and might fall on those whom the House did not intend to burden. The Committee would recollect, that some years ago a tax was imposed, called the Shop-tax. He had always been of opinion that it was a partial and oppressive tax, but the minister and a majority of the House maintained that it was not so; for al-

* The chair in which the Chairman of the Committees of Supply, and Ways and Means, always sits at the table, when the House has resolved itself into either Committee.

though

t
v
th
g
n
w
th
up
an
in
th
He
Th
ref
it
tha
but
of
diff
been
coul
help
be a
gard
our
arriv
why
more
more
the w
at; b
Gent
from
sequen
in the
not tu
all the
tained
caster,
ber of
in such
to belie
was mi
vinced
if so, o
with th
Vol.

though they could not tell how, they insisted that the burden would fall on the customer: He however at last convinced that House that the tax was partial. If any part of their argument had been right upon that subject, why should they not think that it applied to the present case, and that the tax would fall on those who were already heavily taxed, namely the clients of the attorney; for if a shop-keeper could impose upon his customers, he saw nothing so particularly blunt, stupid, and void of ingenuity in the character of an attorney, as to induce him to think that he could not charge the man who had the misfortune to be his customer as well as a shop-keeper. He feared the proposed tax would open a field for imposition. The Right Hon. Gentleman had made some observations with respect to the Committee of Finance in 1791. He thought it necessary to observe, that that Committee had made a report that was perfectly fair and just with respect to the revenue, but he did not by any means agree with them in their estimate of the expenditure. Indeed that was a point which it was difficult to bring to a fair determination, because there had been no year in the course of their computation in which we could be said to be at a peace expenditure; and he could not help thinking that whenever this unfortunate war should be at an end, a different estimation must be made with regard to our permanent peace expenditure—God knew what our revenue might be at that time, whenever it should happily arrive. The Right Hon. Gentleman had stated some reasons why he had grounds to hope that the revenue would prove more productive in future than it had been. That it had been more productive than was expected at the commencement of the war, was a circumstance, Mr. Fox said, which he rejoiced at; but he could not help thinking that when the Right Hon. Gentleman came to the balance, after the loss we must sustain from the diminution of custom for our manufactures in consequence of the present war, he would feel a great deficiency in the revenue, and find commercial credit low; if this did not turn out so, he was much deceived. He wished to obtain all the information possible on this particular—he had obtained some on which he could rely. In the county of Lancaster, a county of considerable manufacture, from the number of hands now unemployed, and from men being taken in such numbers for the service of the war, there was reason to believe that our commerce was in a languid condition. If he was mistaken in that opinion, he should be happy to be convinced of it, but he was afraid his information was true, and if so, our commerce must be in a declining state. He agreed with the Right Hon. Gentleman as to the growing produce of

our sinking fund, but he saw no great reason to think that our manufactories were flourishing, or to expect that our revenue would not diminish. He approved, as he had already said, of the loan, and of the plan for the keeping down of the interest on navy bills; he thought them wise and prudent measures, and whenever he could approve of the conduct of the minister he was happy to say so—but he must again repeat it, he did not like to hear language from above, informing the people how they were to feel the burdens imposed on them; he hoped they would patiently bear whatever was necessary for the public exigency. As to what the Right Hon. Gentleman had stated with regard to the surplus of the revenue, that he did not mortgage it for the continuance of the war, for that he had provided for the support of the war, even if that surplus should continue as he hoped it would, and that it should be employed towards the payment of our debt, there was nothing remarkable or extraordinary in that; no such mortgage, he believed, had been attempted to be made by a minister in the progress of any war, nor could it be expected to be the case in this; it was a thing in its nature not to be done.

With regard to public credit, he confessed he did not feel equally sanguine with the Right Hon. Gentleman, nor see it in the same favourable point of view.

Public credit was high at the beginning of the American war, and that credit afterwards became low indeed, and he was afraid we had no reason to be proud of the comparison between that war and the present in that respect, if the public funds were in any degree to be relied on or admitted as sufficient evidence upon the question of public credit. In the present war, within a period of *twenty months*, the three per cents had sunk *thirty per cent.* Thirty per cent. in that time was a tremendous fall, and could not be stated as a proof that the present war did not affect our credit. At the beginning of the American war in 1774, the three per cents were at 84; at the conclusion of 1783, the three per cents were about 54. During that American war, after seven years continuance of it, the three per cents sunk 35 per cent. In this war, after the continuation of it for only twenty months, the three per cents had sunk 30 per cent. He could not therefore conceive that the calamities of the present period affected us less in point of credit, than the calamities of the American war had done while that mischievous war existed. It might be said, and said truly, that much of this was owing to our enormous debt; it was true it was so, but that was part of our case, and it was a great evil, upon which it behoved us to reflect very seriously. Mr. Fox said, he thought it his duty to make these few ob-

serva-

servations, and to say even once more that he conceived it to be a little hard on the people of England, who bear heavy burdens pretty patiently, to be told from the throne that they were not severely loaded with taxes. He concluded with saying that he had no opposition to make to the question then before the Committee.

The Resolutions were all passed, and the House being resumed, the Report was ordered to be received next day*.

Agreed to go into a Committee of Supply on Friday.
Adjourned.

THURS-

* The following are correct Copies of the Chancellor of the Exchequer's Resolutions in the Committee of Supply, on the opening of the Budget.

- 10d. per Gallon on single Brandy imported
- 20d. ——— on Brandy above proof imported
- 8d. ——— on Rum from the British Colonies
- 16d. ——— on ditto above proof
- 8d. ——— on warehoused Rum
- 16d. ——— on over-proof ditto
- 10d. ——— on single Spirits imported
- 20d. ——— on over-proof ditto

To be paid by the Importers.

- 1d. per gallon for Wash for extracting Spirits for home consumption
- 1d. per gallon for Cyder and Perry, or any other Wash for ditto
- 2d. per gallon for Wash made from refused Wine, or foreign Cyder
- 2s. 8d. for every 96 gallons of Wash made by Bishop of Maidstone

To be paid by the Makers or Distillers.

- 5½d. per gallon for Spirits made in Scotland, and imported
- Also an additional Duty in proportion for over-proof

To be paid by the Importers

- 20d. per 1000 on Bricks
- 18d. ditto on plain Tiles
- 4s. 6d. per 1000 on Pan Tiles not exceeding 10 inches square
- 2s. 2d. ditto addition exceeding 10 inches square
- 1s. 10d. per 1000 for Tiles other than the above

To be paid by the Makers.

And a Drawback to be allowed on Exportation,

- 1l. 3s. 4d. per cwt. upon Bricks imported
- 1s. 6d. for every 1000 Bricks imported
- 1s. 10d. for every 1000 Pan Tiles imported
- 4s. 10d. per 1000 for Pan or Ridge Tiles imported
- 11d. per 1000 for Paving Tiles, not above 10 inches square
- 1s. 10d. per 1000 for ditto above 10 inches
- 1s. 10d. per 1000 for all other Tiles imported
- 10s. per ton upon Slates carried coastwise
- 2s. 6d. ditto upon Stones, Gurnet, and Marble

That the duties of Excise on Paper, Pasteboard, Millboards, Scaleboards, and Glazed Paper, do cease, and that there be charged in lieu thereof,

No. 1. 2½d. per lb. Excise duty upon Paper for writing, drawing, and printing

THURSDAY, February 6.

TRIAL OF MR. HASTINGS.

Mr. Wigley said, that on account of the death of a near relation of the leader of the Managers of the Impeachment against *Mr. Hastings* (*Mr. Burke*), who could not attend the House that day, he should defer the motion he intended to make relative to the proceeding in that trial to Tuesday next.

THE LOAN AND TAXES.

Mr. Hobart brought up the report of the Resolutions moved the preceding day, and agreed to in the Committee of Ways and Means, for raising money by loan, and creating a fund arising out of new taxes for paying the interest of the same.

No. II. 1d. per lb. upon Coloured and Whited Brown, except Elephant and Cartridge

No. III. $0\frac{1}{2}$ d. per lb. for Wrapping Paper

No. IV. $2\frac{1}{2}$ d. per lb. upon all other Papers, except Sheathing and Button Paper

No. V. 10s. 6d. per cwt. upon Pasteboard, Millboard, Scaleboard, and Glazed Papers

A Drawback to be allowed on exportation.

That the duties on Customs of the above do cease, and there be taken in lieu thereof,

10d. per lb. on No. I. imported

2d. per lb. on No. II. imported

6d. per lb. on Paper Hangings imported

10d. per lb. on all other Papers imported

2s. per cwt. upon Pasteboards, &c. imported

10s. $8\frac{1}{2}$ d. on Flint Glass imported

8s. $0\frac{1}{2}$ d. on Materials used in making Window Glass

A drawback of $8\frac{1}{2}$ d. on every foot of Plate Glass imported

14s. 6d. per cwt. on Flint Glass exported

9s. 11d. per ditto on Crown ditto exported

$2\frac{1}{2}$ d. per foot on French Plate ditto exported

14s. on French Plate ditto imported

9s. 11d. on French Window ditto imported

14s. per cwt. on other Glass imported

10s. $8\frac{1}{2}$ d. per cwt. on Plates of Glass not less than 14 $\frac{3}{4}$ s square inches, made in Great Britain

A Stamp Duty of 100l. upon Contracts of Persons serving as Clerks to Attorneys

100l. Admittance for every Attorney

50l. for Contracts of Clerks to Attorneys in Courts of Conscience

50l. for Admittance of Attorneys in the Welsh Courts

That the additional Duties upon Foreign Spirits imported, granted and continued by Acts of 31 Geo. III. be made perpetual

Also upon Sugar, by Act 31 Geo. III. be made perpetual

Also a Drawback on Sugar, allowed by the said Act, be made perpetual

That the said Duties be carried to the Consolidated Fund.

The

The Clerk, according to the usual form, read the Resolutions twice; on the second reading,

Mr. Fox rose, not to offer any opposition to the resolutions, but simply for the purpose of desiring some information on a subject, which did not appear to him to be extremely clear. The Chancellor of the Exchequer, in the course of his speech the preceding day, *Mr. Fox* reminded the House, had drawn a comparison between the produce of the permanent taxes of two different years, on which he grounded his opinion of their probable future produce. The account of the last year, ending the 5th of January 1794, he could not find on the table, or in the printed papers; but found an account of the amount of the taxes for three quarters of that year, ending the 5th of October 1793, from which it appeared that the total produce of all the taxes for that period amounted to 14,800,000l.; from which sum must be deducted the produce of taxes that were not permanent, and which could not of course be taken as part of a permanent fund. It was stated in that account that no less a sum than 700,000l. was to be deducted from the above sum, because such was the amount of temporary taxes; if then this statement was correct, it would follow that the Right Hon. Gentleman had greatly over-stated the fund, which might be considered as permanent; and consequently he would next year have occasion to apply for aid to make good a deficiency in a fund which he had stated the preceding day as productive to the amount at which he had taken it.

The Chancellor of the Exchequer said, that he had grounded what he had stated upon the most authentic accounts that could be obtained, and he believed they were perfectly accurate. He had first estimated the gross produce of the taxes forming the aggregate fund, at 15,400,000l.; and from this sum he had deducted what had been paid into it out of the produce of temporary taxes, and afterwards made allowance for the defalcation that would be occasioned by taxes already repealed, or about to be repealed, which, together, amounted to 110,000l. so that the sum on which he might reckon as permanent, would be 15,290,000l.—The printed account of the three first quarters of the year 1793, quoted by the Right Hon. Gentleman, was correct and authentic; the difference between it and that, on which he himself had argued, might arise from the different way of making up accounts in the different departments of the revenue. In the Customs, for instance, the gross receipt was generally given, without mentioning how much was to be paid out of it under the head of drawbacks or bounties; whilst the accounts made up at the Exchequer stated the sums actually paid in there; so that
on

on the first view of the totals of the two accounts, it would seem as if there was some mistake in one of them, though in reality there was not any.

After further conversation, the Speaker put the question on each Resolution separately, which passed without observation on any, except that when the resolution for laying an additional tax on bricks, slates, tiles, &c. was read,

Mr. Bastard said, that in the west of England the principal manure of the country was marle; he hoped, therefore, that care would be taken in the framing of the bill which should be brought in on this subject, that marle so used should not be subject to the tax.

The Resolution passed without further remark.

When the question was put on the last resolution, for subjecting every person to be admitted in future to act as an attorney to the payment of 100*l.*,

Mr. Jolliffe said, there might be good policy in the general purpose which this resolution was intended to answer; but there was a part of it which appeared to him to be highly objectionable.

The Speaker told him that the question then before the House was, whether it should agree with the committee in that resolution? The Hon. Member must therefore admit or reject it *in toto*, for it could not, in that stage of the business, be admitted or rejected in part. If he had any partial objection, he must reserve it until a bill was brought in to give the resolution the form and force of law, and when it was in the committee, he might regularly propose such modification as should appear to him expedient.

Mr. Jolliffe in reply said, he did not object generally to the whole of the resolution, but merely to a part: It might be prudent to subject all persons who may in future be articled to attorneys to the payment of 100*l.* but he could not think it just to impose this tax on persons already articled, but not admitted: The reason was obvious; many youths might have been articled three, four, or five years ago, whose friends could not enable them to pay 100*l.* for their admission, and who, had they been able to foresee so very extraordinary a tax as this, would have sought some other kind of establishment in life. If the resolution were carried into a law, without modification, it would place them precisely in this situation—that the time they have hitherto passed in qualifying themselves for the profession of the law, would be entirely lost to them; and many of them would be left to learn some other business, at a time of life when young men have generally served out their

apprenticeship. He gave notice, therefore, that he would oppose a *retrospective* operation of this resolution, when it should appear before the House in the shape of a bill.

FRENCH PROPERTY BILL.

This bill was upon motion read a second time; and upon the Speaker's putting the question, "That this bill be committed,"

Mr. Jekyll rose, and claimed credit from those who heard him, when he declared he did not mean to oppose a bill upon the principle and object of which he believed there could not be two opinions; he begged to be understood as not meaning to offer the slightest objection to it, but intending merely to offer some suggestions which appeared to him material, for the better effecting the object all had in view by the measure. The title of the bill professed it to have two objects, the one, to prevent the ruling power in France laying hold of the property of French subjects in this country, as a means to enable them to carry on the war; the other, to secure the said property for the benefit of the owners, when that period should happily arrive, when peace should be restored between the two countries.

He said, he had attended to the bill minutely on the second reading of it; and whatever provisions it might contain, or however wisely they may have been adapted, with regard to the first of these objects, he could not find in the bill any provision whatever for adequately securing the latter. That difficulties occurred in the attempt to establish so desirable an object, he was well aware, and he hoped and trusted, that they would not only be seen, but met by the united wisdom and talents of that House, although he confessed that at present they were such as, from the consideration he had as yet been able to give the subject, he was unable to point out a remedy. The property of French individuals vested in our funds, he had heard stated at 250,000*l.* at least it was said not to exceed that sum. He could not help dreading the danger of exposing persons in France to persecution and death, if any public authenticity were adopted for the ascertaining and preserving to them their individual properties; and yet he had an invincible objection to that which might appear necessary, namely, the appointment of a secret commission for the purpose of ascertaining the nature and extent of those debts which are to be so retained. Another point on which he entertained doubts was, the property of individuals being left in the hands of the merchants here, and thence rendered subject to all the vicissitudes of trade and its consequences. That which they might receive at the present day, they might lose in the course
of

of a few years by failures and a thousand accidents; and even the interest, which ought to be gradually accumulating, would probably be neglected, to their manifest injury and detriment: Whereas it must be the meaning of the legislature to give foreigners the most ample and indubitable security, that although, from motives of policy and humanity, it was deemed necessary to withhold and lock up, as it were, such of the property of Frenchmen as was in England at present, yet when the war was at an end, they might lay their hands on what belonged to them, and carry it where they pleased. The bill, he feared, did not afford to foreigners a security commensurate with its avowed object. Mr. Jekyll said, he threw out these observations solely for the purpose of attracting the attention of those who might be more capable than himself to obviate them.

The Attorney General said, he was confirmed in his opinion that no reasonable objection would be started to the principle of a bill, which, as it regarded the nation, was entitled to be considered a bill of protection; and as it regarded the natives of France, was to them, though subjects of a state with which we were at war, a bill of humanity, justice, and also a bill of protection. His learned friend, he observed, could not have very attentively considered the matter, or he would not have said that the protection held out by this bill to Frenchmen, owners of property in the hands of Englishmen, would be delusive. What was the security which such Frenchmen had at this instant? None but what was founded solely on the honour and integrity of their debtors. The law at this moment afforded them none; for his learned friend well knew that if a Frenchman were to bring an action at present in any of our courts for the recovery of the most just debt, the defendant had only to plead that the plaintiff was an *alien enemy*, and there would be an end of the action, for no action brought by a subject of a state at war with us could, during the war, be entertained in our courts after such a plea was once established.

After the passing of this bill the French creditor would be placed in this situation: Though his debtor should have paid the money ten times over, in consequence of a power of attorney or bill of exchange, he cannot by proof of such fact bar his creditor's claim, but must pay the money to him when sued for it after the war. The bill, he said, was to be considered in the two-fold light of a bill of protection to individual Frenchmen, and of *defence* to this kingdom. It was fit, therefore, as a *defensive* measure, that the most effectual means should be employed for preventing France from de-

riv-
the
blan
to b
with
coll
all r
it w
for p
was
of fa
supp
ther
any
A
to pu
of it,
H
jecti
woul
of a p
of *self*
carrie
subje
migh
than
under
Af
Gene
provi
subje
Britai
and o
Up
propo
Mr
impor
peciall
hour o
to the
The
little c
genera
be fo
Vor

iving from England any part of her resources for carrying on the war. For this purpose it was his intention to fill up the blank left in the first clause, for the description of the penalty to be inflicted on those who should be guilty of a breach of it, with the words "*High Treason*." Gentlemen would recollect, that when the Alien Bill was under discussion last year, all mention of bills of exchange was omitted, on the idea that it was not likely that such instruments would be resorted to for procuring money for the Convention. But at present, it was not a matter of hypothesis or speculation, it was matter of fact and of notoriety, that the Convention aimed at gaining supplies for the war, by means of bills of exchange. It was therefore a measure of self-defence to make it high treason, in any one in this country to honour such bills.

A breach of the second clause, he said, he would propose to punish by subjecting those convicted of having been guilty of it, to a *præmunire*.

He was aware that difficulties might be started, and objections urged against the bill; but he requested Gentlemen would be so good as to consider it only as a *part*, not the *whole* of a plan; this part of it having for its object to enact measures of *self-defence*, required dispatch, and could not be too speedily carried into effect: The rest of the plan would be made the subject of another bill, which being in its nature less pressing, might be discussed more at leisure, and with more deliberation than could be bestowed on that, which was then immediately under the consideration of the House.

After a short conversation between Mr. Fox, the Attorney General, and Mr. Serjeant Adair, relative to some subsequent provision being made, for securing the property of French subjects, now in the hands of merchants resident in Great Britain, in trust for their use, the bill was read a second time, and ordered to be referred to a Committee.

SLAVE TRADE.

Upon a motion, that Mr. Wilberforce be allowed to offer a proposition on this subject,

Mr. *Carver* objected to going into a matter of such great importance, and which might lead to so much discussion, especially as other business was expected to come on, at so late an hour of the night; he therefore wished it might be postponed to the first open day.

The *Chancellor of the Exchequer* said, it appeared to him a little extraordinary, considering the time at which business was generally discussed in that House, a quarter before six should be so late an hour as to preclude their entering on the subject

in question; if, nevertheless, the next should be an open day, and that the motion hinted at by an Hon. Member (Mr. Sheridan) was not likely to be brought forward, perhaps it would be as agreeable to all parties to let it stand over till then.

Mr. Fox assured the House that his Hon. Friend (Mr. Sheridan), who had moved for various papers relative to the salaries and appointments of certain persons, since the commencement of the war, was ill at present, and that was the only reason why he did not attend to make the motion of which he had given notice for that day. *Mr. Fox* said, he would make inquiry next day how his Hon. Friend was, and, if he had any authority for it, he would state when his Hon. Friend was likely to be able to make his motion on the papers before the House.

Mr. Wilberforce, after a short conversation with the Chancellor of the Exchequer, agreed to delay his motion till the next day.

Adjourned.

FRIDAY, February 7.

Mr. Rose moved for leave to bring in a bill to indemnify those who had omitted to qualify themselves to hold certain employments as the law requires. Ordered.

The American Intercourse Bill was read a third time, and passed.

The Land Tax Bill passed the Committee of the whole House; and persons professing the Catholic Religion were relieved from the customary charge of double land tax. They are to pay only four shillings in the pound in future, like other subjects.

The Malt Bill also passed a Committee of the whole House.

The report of both bills was ordered to be received on Monday.

SLAVE TRADE.

Mr. Wilberforce said, he should at present trouble the House but for a very few moments, thinking it unnecessary to take up their time by a statement of the arguments which might be urged in favour of the motion he was about to make; he flattered himself that a bare reading of the question itself would be sufficient to insure to it the general support of the House, and he conceived that any intentions of opposing it must have arisen from mistaking its extent.

His sentiments respecting the entire abolition of the Slave Trade, as being utterly inconsistent with every principle of justice

justice and humanity, and his determination to persevere to its final and complete extinction, were undoubtedly the same they had ever been; but his present motion would only go to prevent our supplying Slaves to Foreign Nations. He would only make two observations: First, he would remind the House that the supporters of the Slave Trade had rested their cause on the ground of its being necessary to the well-being of our own West Indian possessions, which could not otherwise be supplied with labourers. They who were sincere in this objection, instead of opposing his present motion, ought most warmly to defend it; for, instead of abridging that supply, it must tend rather to increase it, and to prevent our raising up the West Indian possessions of foreigners into competitors with our own.

He must next desire the House to recollect that it had been universally declared (whatever doubts there might be concerning the effects of abolishing a trade that had so long existed), that if the Slave Trade had as yet no existence, and it were for the first time proposed to set it on foot, there could not be two opinions on the subject. He was happy in being able to say that the trade against which he was now directing his efforts, was almost, if not altogether discontinued, at the present moment; all therefore who were honest in the preceding declaration would of course unite with him in preventing its revival.

If any objections should be brought forward, he reserved to himself the right of replying to them. He would then only move for leave to bring in a bill for abolishing the trade for supplying foreign territories with slaves.

The Speaker informed Mr. Wilberforce, that as his motion concerned the trade of this country, it was necessary that it should originate in a Committee of the whole House; and that the only regular step that could be taken then was, to move, That this motion be referred to such a Committee.

This intimation being adopted, it was moved, "That this motion be referred to a Committee of the whole House."

Sir William Young rose to oppose the motion. *Sir William* said, he applauded the humanity with which the Hon. Gentleman was actuated, but found himself, after mature deliberation of the subject, bound to give his negative to the motion then before the House, as he had done to every other on the same subject. He considered it as a motion better suited to theory than practice. He thought it objectionable in various points of view: It was inefficient for the purpose professed to be its object, it was unequal in itself, it was dangerous in point of time and experiment, and finally, it was vexatious to mer-

chants concerned in our West India trade. Sir William adverted to the situation of the foreign West India islands; that trade, which the present bill went to abolish, had now, he said, hardly any existence; from the French West India islands, the persons engaged in this traffic were entirely excluded, and the trade to the Spanish islands was at an end, as he understood the persons who had contracted for that, were not now in a situation to continue to carry it on. He therefore thought the bill would be useless at the best, and should therefore oppose it, and did not doubt but he should have a majority; as many of the Gentlemen who concurred in the former vote, for the gradual abolition, did it from a hope, that it would settle the minds of the people upon the subject, and set the question at rest.

Mr. Whitbread began with declaring that he would not enter into a discussion of the merits of the bill proposed to be brought in by the present motion: But it was matter of singular regret to him that this subject had not been more attended to in another Assembly, and more earnestness manifested respecting a matter of so much magnitude in itself, and so much serious importance in the cause of humanity. He hoped the Hon. Mover of the question would persist in his first resolution upon this subject for the total and immediate abolition of this abominable trade. He should be sorry indeed to see an abatement in the zeal of that House upon the subject. If they acted as they had done with a view of passing the matter by, without determining upon it, that was not, in his humble opinion, much to their credit. It was the undoubted duty of the House of Commons to watch their conduct, and shew them that they were not less zealous at this time than they were when they carried up their resolution: That they were determined to keep the subject alive; that they would agitate it day after day, and from time to time, until they had brought that Assembly to a sense of their shame, and a determination to do their duty, which at present they seemed unwilling to do. He therefore would put it to the Hon. Gentleman as a question, whether he did not think it his duty to renew all his former measures for the abolition of the Slave Trade? It had been said, that the time was inconvenient for agitating the question, and that the danger was great. No time could be inconvenient; no danger could be so pressing as to allow that House to continue such gross injustice, as that which attended the Slave Trade. The Hon. Baronet, who opposed the motion then before the House, went some time ago to the West Indies; when he came back, it was said that he gave it as his opinion that the abolition of the Slave Trade was practicable; if so, there could

could
by th
foreig
Oug
away
doing
vanta
move
chant
ble o
tion c
exam
the c
revolu
What
a few
on by
Such
cial.
of m
subsid
the p
possib
contin
practi
were
ations
tion b
say, t
callin
his fo
Sir
Col
derab
exerti
pressin
away
rende
appea
measu
abolit
prope
such
nion,
This
and f

could be no doubt of its expediency. It had been stated also by the Hon. Baronet that day, that almost the whole of the foreign trade, the object of this motion, was at an end. Ought we not then to take the earliest opportunity of wiping away this stain upon our national character, especially when doing so would not even be prejudicial to our commercial advantages? The Hon. Baronet had said, that the bill just moved for, would be troublesome and vexatious to the merchants who were concerned in the trade—What was the trouble of merchants making up accounts? What was the vexation of being obliged to attend to the register of ships, and the examination of a few dockets, when put in competition with the continuance of a great, a gross, and crying injustice, that revolted humanity and disgraced the national character? What was the trouble of a few merchants, or their agents, upon a few points in trade, when compared with a traffic carried on by means of rapine, blood, and the murder of thousands? Such objections were as absurd as they were mean and artificial. Prejudice had too long defeated the admirable attempts of mercy. It was now necessary that the commotion should subside, and the unhappy African be indulged, not merely with the prospect, but the possession of peace. Surely it was not possible for that House to suffer such a system of infamy to continue. What reason was there that we should sanction a practice which deprived mankind of almost all the rights they were entitled to by nature? If he was justified in these observations, the House, he conceived, would not negative the motion before them. Before he sat down, however, he wished to say, that his chief motive in rising was for the purpose of calling on the Hon. Gentleman who made the motion, to renew his former resolutions, and to bring them forward speedily.

Sir William Young spoke shortly in explanation.

Colonel Cawthorne opposed the motion, in a speech of considerable length. He said, that every credit was due to the exertions of the Hon. Mover; and he could not help expressing his concern, that the act of last year had been frittered away by repeated modifications, by which means that act was rendered perfectly nugatory, and he trusted that this would appear so too. He avowed his intentions of opposing every measure that had the smallest reference or tendency to an abolition of the trade. When the disadvantages to private property, when the deficiencies of public revenue, which such a measure would occasion, were considered, in his opinion, it demanded the most firm and persevering opposition. This was justifiable, if necessary, both on patriotic principles and for the sake of individual security; but in the present case

case it was not necessary, because the proposition itself was nugatory. It was nugatory in the retrospect to the cessation of commerce between foreign colonies since the commencement of hostilities: It was nugatory, since the proclamation of French sentiments, and the confused condition of the French republic. Whatever were the pretended motives of religion, justice, and humanity, he suspected the real motives of the enthusiasts who proposed the abolition of the Slave Trade, and still persisted in believing that their proceedings were rather attributable to their disaffection. That party had for years betrayed symptoms of their hatred towards the constitution of this country. It became an obligation of duty, therefore, to counteract the premeditated evil, and prevent the danger before it raged beyond the reach of remedy. There might possibly be a collusion with other agents, a combination of conspiracies, wherein the attainment of this object would encourage them to purposes of greater outrage, and finally establish that system which it was only concerted to destroy. He would therefore vote against the motion, believing sincerely that all thoughts of abolishing the Slave Trade originated wholly and entirely with those who were the enemies of this country and the constitution of it, both in church and state.

Mr. Dent opposed the motion also, and remonstrated against the formality of a committee on the subject. Whether partial or general, the measure was, in his idea, so contrary to that policy by which this nation had been supported and enriched, that it appeared to him that none but enthusiasts could approve it. Already the question of the abolition of the Slave Trade, which but two years since was so loudly and so vehemently condemned, had been wrecked; and only a few of the partizans that so eagerly embarked in it, were left to collect the disjointed materials of their venture; and even these in a short time, he doubted not, would be engulfed in oblivion. On the present project depended the final abolition, and then what would be the result, but anarchy and rebellion? He proceeded to state the supposed evils attending a final abolition, and repeated several of the opinions that had before been published at the time that measure was in agitation, when—

Mr. Jenkinson rose to speak to order, and requested the Speaker to state the question before the House, for the Gentleman's information.

The Speaker complied.

Mr. Dent rose again, and apologized for his digression. He feared that the present was not a time for the prevention of the Slave Trade with foreign colonies, as many of our merchants might be ruined by it. Failures at Liverpool, to the extent

extent of 300,000*l.* had already happened, some of which he suspected might have partly originated in consequence of the proposed abolition; more perhaps might follow, and our growing prosperity be thus unfortunately checked. He took a view of the situation of our colonies, and the condition of the negroes, and anticipated the consequences of their emancipation. He next proceeded to advert to the species of reform which was in his opinion necessary in every constitution—when he was stopped by the interference of the Speaker, for irregularity; upon which he concluded, with declaring that he should give his negative to the motion.

Alderman Newnham said, he must give his negative to the motion, as it might lead to the ruin of individuals, and the diminution of the supplies of the state. Hitherto we had evinced the necessity of securing private property; and now we were called upon to be the first to invade it: Hitherto we had been distressed for raising the supplies required for the public service; and now we were subtracting those which imposed no burden of severity, and of which no complaint had been made. For what reason should we emancipate those, who, from indisputable authority, had been proved to be in a better condition than the labouring peasants in this country? Much had been urged, of the cruelties that they suffered, and the barbarities of their masters. History had been traced back for more than a century, to search out and select the records of these abominable crimes; and what had been thus diligently sought after, had been aggregated and exaggerated, to serve the purposes of enthusiasm, and delude the weak and pitying multitude. The same means would apply to render matrimony detestable. Every Gentleman was aware, that, in the marriage state, which was dignified with the epithet of *blessed*, there existed petty feuds and resentful animosities. Every Gentleman had read and heard of infidelity and punishment, of flagrant enormities, of men beating their wives, and wives injuring their husbands, of acts of violence, and not unfrequently of murder. Would any one, because these abuses have existed, maintain the necessity of abolishing the nuptial law? The Alderman contended that the similitude was just, and the conclusions were the same. Slaves in the West Indies were confessedly happier than in their native country; and experienced, in general, as mild and attentive treatment from their masters, as servants do in England: Nay, their treatment might almost be said to be equal, in every degree, to that which children received from their parents. There was a mutual interest between the planter and the slave, which enforced

enforced compassion and duty. Let it be recollected, that if the slaves in the British colonies were liberated, those of other nations would still be yoked, and wear their fetters. What then would await our partial favour, but disadvantage and remorse? Negroes were frequently brought from the coasts of Africa to our West India islands, at great trouble and great expence: On their arrival, it had often been found, that the markets were over-stocked, and that there were no purchasers. What then was the result? Were they to be re-shipped to their native shore? or were they to be landed to the loss of the trader, to subsist as they could, by rapine and murder? Our foreign commerce obviated these excesses. So long as the trade should be tolerated, so long must the commerce with foreign colonies also be allowed. Actuated by these considerations, the Alderman said, he should give his negative to the motion.

Colonel Tarleton declared, that he entertained a similar opinion. As an advocate for the reform of representation in this country, he should also be an advocate for any rational reform in the purchase and treatment of the slaves in our plantations; but he wished to call the attention of the House to the change of circumstances that had occurred since the question of the Slave Trade had last been agitated. We were at present engaged in a dreadful and expensive war. In these times, therefore, of difficulty and danger, it strongly behoved the legislature to interfere with great delicacy concerning any subject, which might, in its consequences, affect the revenue. The Colonel professed himself to be the steady advocate of moderate reform, but an enemy to all reformation that attacked either public or private property. If the Slave Trade were proposed to be established *de novo*, he admitted that his opinion would lead him to oppose it; but in its present state he thought it could not be abolished without much injury, particularly to our trade. That trade was, in some respects, peculiarly circumstanced. The ships employed were stout ships, that needed no convoy, and therefore we had the benefit of their commerce, without the expence attending other trades. It was besides to be considered, that we were laying a restraint upon our commerce, and impeding the exertions of the merchant, upon whose prosperity the interest of this country most essentially depended.

The Colonel desired the House to recollect, that to the West Indies alone we could look for a prospect of indemnification for our expences in the war; and therefore any measures which tended to endanger the security of those islands as a part of the British dominions, should be nicely balanced, scrupulously

examined
reasons
negativ

Lord

if this
of the

Mr.

Mr.

astonish

experie

last year

purport

innovat

policy:

was no

superflu

inconsis

pressed

admitte

could it

opposed

gradual

were o

be gene

that we

in point

We are

of its in

they are

other co

a comm

severity

fortunat

entered

the trad

a gradu

the oppo

Mr.

the subj

with the

now in c

measure

law real

mercial

trade to

therefor

Vol.

examined, and most deliberately decided upon. For these reasons, the Colonel said, he felt it his duty to give his negative to the motion.

Lord Fielding wished to know from the Honourable Member, if this bill would prevent the importation of slaves into such of the foreign West India islands as might fall into our hands.

Mr. Wilberforce replied in the negative.

Mr. Dudley Ryder said, that he could not but express his astonishment at the reception which the present question had experienced. On the exposition of the bill brought forward last year, it had been said that, as a motive of opposition to its purport, the destruction of a trade so very profitable, was an innovation as dangerous in execution, as it was absurd in policy: Now it has been urged as an argument, that there was no trade, and therefore the bill was inefficacious and superfluous. He confessed he was not a little surprised at the inconsistency, but it did not end here; Gentlemen had expressed no single objection to the theory of the bill, but had admitted that it was a measure fit to be pursued, and laudable, could it be done gradually: And upon this occasion it was opposed, though it was the first step that led towards the gradual abolition. At that time the measures to be adopted were only partial; at present they were not so, but likely to be general. Another inconsistency was to be adverted to, *viz.* that we could regulate the trade better, and with greater effect in point of humanity; but that other countries would not: We are therefore to continue ravaging and stripping a country of its inhabitants, bringing them into that situation in which they are liable to disease, infection, and cruelty, because some other country, which might think proper to enter into such a commerce, would be inclined to treat them with still greater severity; and that more persecution would occur to that unfortunate people than was likely to be the case with us. He entered into a general view of the advantages accruing from the trade upon the moderate terms of the motion, which was a gradual method of abolition, and the present state, which the opposers so inconsistently justified.

Mr. Lechmere thought the present not a fit time to agitate the subject. It was true that the motion had nothing to do with the general question of abolition: But, as all Europe was now in confusion, it would be highly imprudent to adopt any measure of untried expedience; and if it were pursued, he saw reason to fear great injury would be done to the commercial interest of the nation. At present no prohibition to trade to our own islands with slaves was in existence; and therefore, if ships could not dispose of their freights there, it

would be highly detrimental to prevent their disposing of them to the planters of foreign islands. In his mind it threatened the most fatal consequences. If the trade were already dropped, he said, the motion was useless: If it was not, it would be injurious; and, therefore, he would vote against it.

Mr. East gave it as his opinion, that however political it might be to attempt to conceal it, the real question aimed at was the total abolition of the Slave Trade; and therefore he conceived that *Mr. Whitbread*, though differing totally in opinion with him, had met it in the most manly way. The motion appeared to him to be inconsistent with the previous resolutions of the House for a *gradual* abolition of the Slave Trade, inasmuch as it went to an *immediate* abolition of part of that trade. When the abolition had been first proposed, it was universally allowed, that a subject of so much importance ought to be discussed with caution, with deliberation, with candour, and solemnity. Every party was to be heard, and every part of the subject to be examined. That example had been imitated by the Lords. Two years had been occupied in the discussion of the measure by the Commons; and as the Lords must necessarily be equally desirous of gaining the fullest information, before they came to decide upon the result of a comprehensive and complicated body of evidence, they merited the utmost praise for proceeding with extreme caution and extreme deliberation. Whenever the House of Peers was mentioned, *Mr. East* said, it ought to be with that reverence and respect which their rank and situation claimed. He contended that this was not the time for any alteration in the compact with the slaves. When war raged abroad, and distrust and jealousy prevailed at home, it would be manifestly wrong to risk any additional evil. When the minds of the slaves were heated and agitated as they had been by the excitement of false hopes, and when we were desirous of retaining the esteem and confidence of the merchants and planters in our West Indian colonies, it was improvident and dangerous in the extreme to excite apprehension and alarm, or publish doctrines which, however specious in the theory, might by their practice precipitate and entail ruin and fruitless remorse. After a variety of attempts, and a tedious process, to accomplish an abolition of the trade, the measure had been overruled by a large and decided majority. To quiet the minds of the Gentlemen, however, who had been inflamed or misled by the false philosophical expressions of humanity, which he believed subsisted more in words than thought, some alleviation had, he supposed, been given by the consent of that House to a gradual abolition. Yet but a short time had elapsed before

before the self-same propositions are made *de novo*, though brought forward in an assumed disguise; for exactly what those propositions were in substance, the present were in fact. Mr. East concluded with saying, that he should give his decisive negative to the motion.

The Chancellor of the Exchequer observed, that his Hon. Friend (Mr. Ryder) had already shewn the inconsistency of the arguments used by the Hon. Gentlemen who opposed the present motion; it was unnecessary, therefore, for him to go over the same ground. The Hon. Gentleman who spoke last, had indeed endeavoured to prove some inconsistency between the present motion, and the former resolutions of the House: He therefore wished to recal distinctly to their recollection what those resolutions were, and what were the grounds on which they passed. The Hon. Gentleman who spoke last had said, that the House had passed those resolutions on the principle "*of thereby setting the question of the Slave Trade at rest.*" He wished to know what the Hon. Gentleman could mean by that expression? Was it to be supposed, that the House meant, by passing a resolution gradually to abolish the Slave Trade, to do nothing else than pass the resolution, and never actually to abolish it? And yet this was the only way in which he could understand the Hon. Gentleman's observation to have any weight, as applied against the present question.

The case was shortly this: The House had resolved totally to abolish the Slave Trade in the year 1796. His Hon. Friend (the Mover) had, indeed, previously proposed the immediate abolition, and he had himself, together with many others, given his vote for that question; a vote which the more he reflected on it, the more was he satisfied with having given, and which he was persuaded he should never repent of to the last day of his life. The House, however, had thought proper to negative the motion for an unqualified abolition: But on what ground had they done it? Not on the ground of their wishing, with the Hon. Gentleman who spoke last, to perpetuate the Slave Trade, who was left in a very small minority when that question was at issue: Not on the ground of their wishing, a very long continuance of it, as the subsequent vote to abolish it in 1796 plainly shewed. But they negatived the question of immediate abolition, and agreed to abolish it in 1796, on the following ground:—It was thought by many that if the Slave Trade was so suddenly put an end to, great and serious mischief might be done to our West India plantations; it was thought also by some, that however justice might call for the abolition of the trade, yet there were some opposing claims of justice also to be considered, and that on

these grounds some time ought to be given, it being at the same time generally admitted, that the trade was of such a nature that it was not fit to be continued.

These objections to the immediate abolition had not weighed indeed with him; he had endeavoured to prove the fallacy of them. Gentlemen who favoured the longer continuance of the trade had argued for its continuance, and those Gentlemen who objected to any abolition at all had, in like manner, been heard in favour of their proposition. The House had decided between these several parties; never was a question more fully argued; and he appealed to the House, whether, judging from the expressions then used in debate, as well as from the very nature of the vote that was passed, the grounds and principles which he had mentioned were not those on which the resolution come to by the House of Commons was founded?

Where then was the inconsistency of the motion now proposed? The House having determined that the Slave Trade shall be abolished, but having postponed the period of abolition till the year 1796, on account of some supposed detriment or injustice to our West India islands, a motion is this day made to abolish *immediately* that part of the Slave Trade which does not respect our West India islands, but which applies to the foreign islands only. It was also to be observed, that the foreign Slave Trade having actually ceased of itself, the motion was not so much a motion to abolish it, as to prevent its revival. The question was, whether we should suffer British subjects again to set on foot a branch of that trade, the whole of which the House had condemned as unjust, and had on that ground forbid the continuation of beyond 1796? It was by no means inconsistent to abolish a part of that now, of which the whole was determined to be abolished two years hence. On the contrary, the measure now proposed might be considered as one step towards the gradual abolition that was agreed upon.

An argument against the present question had been attempted to be drawn from the proceedings on this subject now pending in the other House. In his opinion, the consideration of those proceedings led to the adoption of the present motion. Without entering into the particular discussion of any thing that had passed in the House of Lords, he thought it proper to observe, that their Lordships had, in point of fact, spent only four days in the whole of the last year in examining the Slave Trade evidence.

What were the reasons that induced the House of Lords to bestow so few days on the examination of a subject which had

so deeply engaged the House of Commons, and had occupied so vast a portion of the time of their Committee, it did not belong to him to inquire. He wished to speak with that respect which was due from one House of Parliament to the other, and he must presume, therefore, that their Lordships had good reasons for the slowness of their proceedings; but if he assumed this to be the case, he was only bound so much the more to vote for the present motion, the object of which was, to separate that part of the Slave Trade in question, which was short and simple, and admitted of a more immediate decision, from that other part of it, which involved so long an examination. He thought the House was bound, therefore, on every principle of consistency, to send up a separate bill to their Lordships for the abolition of the Foreign Slave Trade; for the continuance, or rather the revival of which, no man could say that any argument, either of necessity or of justice to individuals, or of great national policy, could be pleaded. Under all the circumstances that he had stated, Mr. Pitt ended by observing, that all those who had voted for the immediate abolition, must unquestionably vote for the present motion; all those who had voted for the resolution agreed to by the House to abolish the whole trade in 1796, on the grounds which he had stated, would also vote for the present motion; all those who had favoured a gradual but more distant abolition on the same grounds, must also vote for the present motion; all those who, though they were against a general abolition, were against it only on the ground of danger to our West India colonies, would also vote for the present motion. He added, that all those Gentlemen who were against a general abolition on other grounds, *might nevertheless vote for the motion*; for the abolition of the Foreign Slave Trade was altogether a distinct question from that of general abolition. The proposition then before the House, was one which all friends to the general abolition, of whatever class, must agree to, and in which many even of its enemies *might join on very obvious grounds, without any impeachment of their consistency.*

Mr. Payne professed himself to dislike the motion. He admitted, that when humanity was opposed to interest, the latter ought to give way; in the present instance, however, he was of opinion, that the natives of Africa were not yet sufficiently matured by civilization to receive their liberty and freedom; and that emancipating those who were not sufficiently enlightened to understand and feel the blessings of liberty, would be like putting a sword into the hands of a madman. The slaves in Africa, it was generally agreed, were in
a much

a much worse situation than those in the West Indies; and though our humanity led us to prohibit the importation to the West Indies, yet we increased their numbers in the colonies by encouraging their breed as much as possible. This appeared to him to be a tacit and indirect acknowledgment, that we were willing to do that in a manner less glaring and obvious to common observation, which we pretended to be ashamed to do publicly, and in the face of day.

Mr. Whitbread rose again and said, he could not but think the progress of the present question unfavourable; but still, keeping those opinions in his mind which he ever had, and which he should continue to the end of his life to cherish on the subject, he should give his unconditional support to the motion; and he could not but remark how very inconsistent those arguments were, which had been urged in opposition to a question so unobjectionable in itself. Every Gentleman who recollected the ample discussion which this important question had undergone (he believed the most extensive that any had ever experienced), must be conscious of the necessity, the good sense, and the humanity of the abolition; the event had fully proved it, for the resolution of the House had decreed the *gradual* abolition. The aim at present was no more than the destruction of the foreign trade, which might be considered as the first step; and he could not conceive how Gentlemen could reconcile the inconsistency to their understanding, that the motion was precipitate, when only part of the trade was the consideration. From the principles he mentioned, he would be free to declare, that this was the proper time for putting an end to that part particularly, when the Gentlemen in the opposition said that the trade was nearly destroyed. In order that we might slowly, but effectually, prevent any revival of this abominable traffic, the House had concurred in the *gradual* abolition. *Mr. Whitbread* said, he must reprobate the idea thrown out by the Gentleman who spoke last, that the House wished to get rid of the measure; the only objection offered to agitating the subject in the last session was, the fear that was entertained of precipitation; in the principle of alteration all were unanimous; but a dreadful effect was apprehended from the violence of the change; and the sole question to be considered was, whether the injury of the abolition was not greater than the injury of the continuation, till the gradual abolition could take place. He certainly must regret, *Mr. Whitbread* said, in common with every man, the delay which had attended the prosecution of this measure; in the last session he believed only four days had been expended for discussion of the subject;

ject; but he thought that an additional reason for agreeing to go into a Committee, as the present object, the foreign trade, was that which required least consideration, and would take up less time in examination than any other; it would therefore (feeling, as he did, the respect due from one branch of the legislature to another) be taking some part of the weight from off their shoulders. This mode would completely render the advancement of the original motion practicable; and nothing could better effect that purpose than sending this bill separately to the House of Lords. Mr. Whitbread concluded with observing, that he considered every member of the House as bound in principle to support the motion, and exert his best efforts for its support.

Mr. W. Smith (who has ever distinguished himself as one of the warmest advocates for the abolition of the Slave Trade) supported the motion; and in answer to the observation of Mr. Alderman Newnham, relative to the danger of the negroes being put to death, if we did not purchase them, stated, that the minds of the negroes had already become more tractable since their condition had become an object of parliamentary discussion, that those of the traders had been meliorated, and that less murders were committed even on their own coasts than formerly. In proof of this assertion, with the permission of the House, he related an account which he had lately received, from which it appeared, that a conversation had, within the last six or twelve months, taken place between some slave-buyers and slave-sellers on the coast. Some vessels arrived off the coast of Africa for the transportation of slaves to our colonies. A contract was proposed for the purchase of some negroes. The parties differed in the price of the commodity. In consequence of the extraordinary care and attention lately bestowed on the negroes in the West Indies, the purchase of them having been greatly reduced, the money offered by the captains of the vessels to the dealers was not deemed adequate to their value; the slave-seller refused to part with his slaves, saying, that rather than sell them for that price, he would put them all to work. The consequence was, that, as both parties persisted in their appreciation, the dealers employed the slaves in the cultivation of the earth on their own coast, and the captains of the vessels were obliged to seek for a cargo elsewhere.

Mr. Wilberforce observed, that though the arguments, such as they were, which had been urged against his motion, had been already abundantly answered, he must trouble the House with a very few remarks, to which he felt himself strongly impelled, by the language he had just heard from some of his
oppo-

opponents; and as advantage had been taken of his having purposely forborne from arguing against the injustice and cruelty of the Slave Trade in general, as being unnecessary to his present purpose, he must begin by reminding Gentlemen, that there was a place called Africa, where the effects of this detested traffic were every-where written in characters of blood.

He must next remind them of what they appeared to have forgotten; that there were such principles as justice and religion. Gentlemen were fond of talking of humanity, but the term was so indeterminate in its application, and had been so grossly abused, that, for his part, he was almost sick of it, and was rather desirous of resting his cause on the solid, unalterable principles of justice and religion.

An Honourable Member behind him, who was in the House when the business was first agitated, and having been some time out of Parliament, had lately resumed his seat, must, he thought, have been asleep during the interval, or he would not have again revived that antiquated, and so long dormant argument, that if the Slave Trade should be abolished, the slaves in hand, not finding purchasers, would all be massacred. If the Hon. Gentleman was really in earnest, it might be sufficient to refer him to a recent fact, which had been stated by his Hon. Friend, that when, in consequence of the demand for slaves having been lately lessened, the captains of certain slave-ships which were on the coast, thought they might take the opportunity of greatly reducing the prices, the natives refused to consent to the abatement, and declared, they would set the slaves to work, rather than sell them at so low a rate. But he need not resort to this solitary instance: The accounts received by the Sierra-Leone Company shewed that the declension of the Slave Trade, instead of being followed by any bad consequences, was every-where producing and favouring the growth, and progress, and general prevalence of commerce, agriculture, and civilization, throughout the desolated coast of Africa.

Several objections had been taken against his present motion, on account of some particular clauses contained in his bill of the last year, but it was wholly out of order to discuss these in the present state of the question. He was now only moving for leave to bring in a bill, and for aught any Gentleman had a right to say, the bill he should now bring in might be extremely different from that of the last year.

But the arguments which had been urged against him the most confidently, were grounded on this being an improper *time* for the bringing forward of this subject in any shape; for

FEB.
for
perf
all o
had
almo
was
was
the p
and
natu
ratio
of w
Br
of th
Add
they
their
ples
to m
whic
if the
act o
Ther
more
mitie
he m
out b
their
did w
seek t
injust
neigh
carrie
the F
practi
avow
all di
their
of its
awful
when
proted
therin
down
The
Slave
Vo

for his own part, he was of a directly opposite opinion, being persuaded that, for many reasons, the present time was above all others the fittest for the purpose. In the first place, as he had before stated, the foreign Slave Trade had, at this time, almost entirely ceased; all therefore that was now necessary, was to prevent its revival. In the next place, this certainly was a time when, of all others, it was desirable to impress the public mind with respect for the character of Parliament, and it could not but produce sentiments of a very different nature, if, in direct violation too of their own solemn declarations, they should appear willing to return again to a system of wickedness they had determined to abandon.

But he must go still further; what opinion would be formed of the House of Commons, if, after declaring in their late Address to his Majesty, in the face of all Europe, "That they would study to render their conduct a contrast to that of their enemies, and, by cultivating and practising the principles of humanity, and the duties of religion, would endeavour to merit the continuance of the Divine favour and protection, which had been so eminently experienced by these kingdoms," if they were so soon to forget this solemn declaration, and to act on the very principles they had affected to condemn? There was no man, Mr. Wilberforce said, who was, perhaps, more deeply impressed than himself, with a sense of the enormities that had been practised in a neighbouring country; but he must plainly declare, that the Slave Trade afforded throughout but too faithful a parallel. Did the French seek to fill their exchequer by confiscations and unjust convictions? So did we, by our agents in the Slave Trade. Did the French seek to enrich themselves by rapine and slaughter, by acts of injustice and violence at home, and by depredations on their neighbours? This was the very picture of the Slave Trade as carried on in Africa. And as for the shocking impieties of the French, the Slave Trade, he must say, was a system of practical atheism; and he thought Gentlemen ought either to avow the principle, or abandon the practice. It was most of all disgusting, to hear men take the name of religion into their mouths, and then disgrace it by the shameless violation of its dictates. This, he confessed, was to his mind a most awful consideration. The present was a critical period, when every one who did not disclaim the very idea of the protection of Providence, must be solicitous to avert the gathering storm, by desisting from whatever might tend to draw down the Divine vengeance.

The guilt of such a system of wickedness and cruelty as the Slave Trade, was a load of which every serious well-wisher to

his country would gladly disencumber her. "Let me sit heavy on thy soul to-morrow." The consciousness of such crimes, deliberately and systematically adhered to, was enough to weigh down the spirits of every religious mind.

With regard to the appeal which had been made to him by an Hon. Member (Mr. Whitbread), he felt the more disposed to attend to it, because of the uniform and zealous support that Gentleman had always afforded him. He would assure the Hon. Gentleman, that his zeal was in no degree abated; he certainly thought, on the whole, that it was better, on the day on which he was then speaking, merely to bring forward the bill for preventing the supplying of foreigners, but he would not pledge himself for what he might do the very next day; and as his resolution never to desist from his efforts till a complete abolition should be obtained, remained as strong as ever, so he should certainly lose no opportunity of carrying his determination into effect.

The House divided, <i>for the motion</i>	-	63
<i>Against it</i>	-	40

The bill was then ordered to be brought in.

SALARIES, &c.

Mr. Fox signified from *Mr. Sheridan*, that he should be ready any day in the next week, to make his motion on the Salaries and Appointments of different Gentlemen, since the commencement of the war. It was then understood that it would come on on Tuesday, if *Mr. Wigley's* motion should not be very long.

It was understood also, that *Mr. Fox's* motion on the Convoys should stand for Thursday.

Adjourned to Monday.

HOUSE OF LORDS.

MONDAY, February 10.

The Earl of Lauderdale (on the part of the Marquis of Lansdown) gave notice of the intention of the Marquis to bring forward a motion on Friday next, tending to give peace to the country, upon which he moved their Lordships to be summoned.—Ordered.

The Earl of Albemarle moved, that their Lordships be summoned for Monday next, when he would state his sentiments in support of a motion which he should take the liberty of offering to their Lordships on the subject of the illegality of landing foreign troops in England, without the consent of Parliament previously obtained.—Ordered.

HANOVERIAN TROOPS.

Mr. Whitbread rose to submit a motion to the House, to which he did not conceive any opposition could be given. By the Papers upon their Table, it appeared that a body of no less than 18,000 Hanoverian troops had been taken into the pay of this country. There had also been laid upon their Table, a number of Treaties entered into by the King of Great Britain and several German Princes, upon the subject of taking their respective troops into British pay; but among these he could not find any contract or treaty, by virtue of which the Hanoverian troops were so subsidized. Now it was certain, that Hanover was a Sovereignty perfectly distinct from that of Great Britain; and that his Majesty was to be considered in a distinct and different point of view, as Elector of Hanover and Sovereign of Great Britain; he conceived that some such Treaty must necessarily have been entered into, by virtue of which the troops alluded to were employed. *Mr. Whitbread* concluded with moving, "That an humble address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid before the House a copy of the treaty entered into for engaging troops from the Elector of Hanover, in the pay of the King of Great Britain."

The Chancellor of the Exchequer said, it was not a novelty for this country to employ Hanoverian troops, but he believed that this was the first time a treaty between the King of England and the Elector of Hanover had been talked of. His Majesty united in his person these two powers. There had been no such thing as a treaty on the subject of the employment of the Hanoverian troops in the service of Great Britain; nothing of that sort had ever existed. But there were articles in which his Majesty engaged to employ certain troops from Hanover in the service of this country, under certain specified conditions. These articles were communicated from the Secretary of State to the Board of Treasury. He repeated it, that he had never heard of such a paper being moved for as a treaty between the distinct powers of King of England and Elector of Hanover, but he saw no objection to producing the articles he had mentioned, if the Hon. Gentleman would reduce his motion into a proper form for that purpose.

Mr. Whitbread said, he had no objection to any modification of his motion, or to any form of phrase that might be suggested, provided he obtained the substance of what he wanted: Treaty, Agreement, Communication, were terms alike to him; he wanted the instrument in which the *Elector of Hanover* engaged

to supply the King of England with troops; the Right Hon. Gentleman should give it a name, and he would then move for it.

The motion was then put in the following form: "That an humble address be presented to his Majesty, praying that he will be graciously pleased to give directions that there be laid before the House a copy of the articles, according to which, his Majesty has been pleased to order his Electoral troops to be employed in the service of Great Britain."—Ordered.

LANDING OF HESSIAN TROOPS.

Mr. Grey said, in consequence of a notice he had some time since given, he rose to make a motion which appeared to him to be of essential consequence to the Constitution, and to the liberties of this kingdom. It was not necessary at any time, *Mr. Grey* observed, but least of all at this time, for him, or for any member of that House, to make an apology for bringing a motion forward, when he saw, or thought he saw, any measure which appeared to be an attack upon the constitution; and not the less dangerous on account of its being in its tendency an increase of the royal prerogative, than it would have been if it avowedly flowed from a spirit of popular encroachment on the power of the crown. These points were equally objectionable to him, because he considered them to be equally hostile to the spirit of our constitution.

He said, he should wish to clear the question from all extrinsic matter, and disencumber it of all considerations with which it was not immediately connected. The point which he had to establish, was in itself plain and simple; and that it might not be mixed with incidents and objects of discussion that were foreign to it, he should set out with declaring, that, as far as related to the present question, he did not mean to consider how far it might or might not be expedient to introduce at this time foreign troops into this country: His object was, to prove, that, whether expedient or not, the measure itself was clearly unconstitutional and undeniably illegal; that the King had no power to introduce them without the consent of Parliament. Occasions might occur so alarming and so dangerous, that it might in such cases be proper to introduce foreign troops into this country, but he conceived that it should never be done except in cases of extreme exigency and proved necessity: He would boldly affirm it never could be done legally but by the consent of Parliament; and never should be suffered to be done without being watched by the House of Commons with that constitutional jealousy which was the best part of the character of that House, and the best security for the rights and liberties of the people. A worthy
Alderman

Alderman (Alderman Newnham) had on a former day expressed his satisfaction at the landing of these foreign troops in this country, because, he declared, he was persuaded that they were intended for the defence of this country. Having no information, he had nothing to say upon that occasion; but although he was not ready to deny, that, for the purpose of our own defence, we should sometimes employ foreign troops, yet he could not help thinking, that the wisest course for us to pursue in general would be, to rely on what, upon a former night, had been emphatically termed "the energy of an armed nation." These, however, were considerations not immediately within his purpose. The point which he had to maintain was that which he had already stated, namely, "that it was contrary to the principles of the constitution, and against the laws of this country, for the King to introduce, under any pretence whatever, foreign troops here, without having previously obtained a Parliamentary sanction for it." This was the sole point he meant to discuss, and it was clear to him that the King had no such right. If the King had a right to introduce into this country foreign troops without the previous consent of Parliament, and that the exercise of that right was expedient at the present moment, let Gentlemen who thought so come forward, avow their opinions, maintain them by argument, and meet his proposition with a direct negative. If, on the other hand, the legality was admitted to be doubtful, but the exercise of the power under the present circumstances expedient, still he hoped the point itself would be fairly argued and finally determined and closed, instead of being avoided by the accommodating shift of a previous question. The question he must again repeat was this, "Has the King, or has he not, at any time, under any pretence whatever, a right to introduce into this country any foreign troops without the previous consent of Parliament?—Is that act, or is it not, legal?" This was a point on which there should be no shifting, he expected it to be finally determined that night, and that the question, by the decision of the House, would be set at rest for ever.

In examining the nature and merits of the question, Mr. Grey said, it would not be necessary for him to recur to the earlier period of the military law of this country; we know that in those ancient times there was no such character known as a regular foldier; inferior lords held military tenures, and supplied the state by a number of their vassals for a limited time. Neither in the time of Charles the Second had there been any such thing recognised by the common law of the country, as a standing army, except an army created by Parliament;

liament; and it remained at this day for the House of Commons to see whether the King can at this day, by his own authority, constitute in this kingdom a military law, without the sanction of Parliament. First he should wish to argue the question upon the ground of positive and strict law, as well as on the principles that ought to be most dear to us, because they were laid down, established, and secured, at the era of the Revolution—principles, which should not only be maintained by words in that House, but also engraven on the hearts of Britons. The first thing, therefore, which he should allude to, was the Declaration of Rights, and indeed the Bill of Rights: By these it was positively declared, “that raising or maintaining an armed force, or standing army, within these kingdoms in time of peace, unless by the consent of Parliament, was against law.” He might be told that this point was only to be insisted upon in time of peace, and was not at all applicable to a time of war. He owned he did not like the distinction, nor did he believe it to be a good one, since the principle of our constitution did not turn upon such niceties. The principle was, that Parliament should always have the power of granting all military force to the Sovereign, and regulating that force. He could rely on the Bill of Rights as an explanation of the law of England in all the points to which it specifically referred. It was not a bill which gave any rights to the people of this country—it was only a bill that declared rights which had before existed and had been enjoyed—it was a bill that referred to former times, and, from the very nature of it, ought not to be taken up captiously and construed according to the contracted meaning of some particular word, but ought to be understood largely and liberally, and then it would appear by this very bill, that the framers of it had it in contemplation, that neither in time of peace nor during war should the King have any power to introduce foreign troops into this country, without the sanction of Parliament. If they had meant to give him that power in time of peace, they would have expressed themselves to that effect clearly and explicitly: He was therefore entitled to say upon the very spirit of the Bill of Rights, the King had no such power as had been exercised in the case of the Hessian troops.

Upon the subject of precedents, a mode of argument of late so much resorted to and so confidently relied on, Mr. Grey said, he would make a few observations. He then entered into a history of various cases as applicable to the point in question, and in order to illustrate his proposition. The first he quoted, was the case in 1775. The next was a case determined in 1698: This case he much relied on; it for although, was not

in

in time of actual war, yet it was immediately after the war, and the King sent a message desiring that his Dutch guards might be suffered to remain, and promised that no improper use should be made of them. Upon the motion for taking that message into consideration, they resolved, that they could not depart from their former determination; and in an Address to his Majesty, gave as their reasons for their non-compliance, the illegality of such a step, and the violation of the first principles of that Declaration of Rights which they had so lately made, and he accepted. Here Mr. Grey read the message of King William, and the address of the Commons in answer to it, and made a few animadversions on each. The next point to which he called the attention of the House was the spirit and extent of the Act of Settlement, which also tended to support his proposition. This act expressly said, "That no office of trust, civil or military, shall on any account whatever be held by any but natural subjects of his Majesty, born within the realm." The command of these troops now within this realm, was a great military trust, and therefore directly contrary to the Act of Settlement. The Mutiny Bill too would illustrate his proposition; without the annual passing of that bill it was well known that the army could not be under military law. This was a principle therefore which no one would be disposed to dispute: The Marine Mutiny Bill was of the same nature; they both proved that the King could have no troops in the kingdom except such as had been granted him by Parliament; that without the Mutiny Bill none of them could be punished for desertion or disobedience to military orders.—These very Hessians were not at this moment under the military law of this kingdom; they could not be treated as soldiers in this country, for whatever power might be exercised over them before they came here, the moment they landed in England they were *ipso facto* discharged and disbanded; and if any of them deserted or disobeyed any orders given to them, there was no law by which they could be tried. He wished to know after this, and after what had fallen from the Chancellor of the Exchequer on a former night, respecting the responsibility of generals, whether he was not justified in saying that, upon the general principles of the constitution of this country, the King had no right to land foreign troops here without the previous consent of Parliament; besides this, it was expressly forbidden by many acts of Parliament, some of which the House had already been apprized of, and he meant to call their attention to others. In the year 1756, the 29th of George II. a period of war, a certain number of foreign troops had been employed on the American service, and were about to be landed here; the Earl
of

of Chatham was then a member of the House of Commons, and he said, that the landing of those troops was unconstitutional, and that he would impeach the minister who should dare or advise his Majesty to do so: Upon which the Act of Indemnity was passed. Mr. Grey alluded to the 29th of Geo. II. when the Marine Mutiny Bill was first passed, and also to the 8th of his present Majesty, to prove that the King had no power to have foreign troops in this country without the previous sanction of Parliament. He stated that upon the Parliament of Ireland increasing the military establishment of that kingdom from 12 to 15,000 men, it was so thoroughly understood, that the Crown had no right to make use of such additional force within the British dominions, without the previous concurrence of Parliament, that this act was passed expressly for that purpose. And here he conceived he might rest the case, but that, as he had before observed, there had of late been a disposition and a practice very much to argue every thing upon precedent. To the weight and force of precedents in the decision of any question agitated in that House, he confessed he was not inclined to pay that implicit respect, which seemed to be demanded in their favour; where they tallied with the eternal fitness and principles of any measure, they no doubt should have their weight. If any man could produce a precedent every Session of Parliament since the Revolution, for a measure which appeared to him to be bad in itself, and contradicted the principles of the Revolution, he should pay but little regard to any of them. He need not however make this observation on account of his argument, as he apprehended there was in reality no precedent for the landing of these troops, under such circumstances as belonged to the case. He stated different instances of messages from the Throne, immediately relative to the landing of foreign troops in this country, from the year 1715, down to the present time. Upon the introduction of Dutch troops, he did not find there was or had been any Parliamentary proceeding. In 1745, upon the introduction of Hessian troops, the King sent a message to Parliament, in which it was observable, that his Majesty stated both the precise numbers of the troops so brought over (which had not been done in the present instance), and the occasion and necessity of sending for them, namely, the preparations making in the ports of France for the invasion of this country, and the actual landing of a body of French troops in Scotland. The address in answer to this message, although it passed that House, yet was strenuously opposed in the Lords, and a protest entered against it, in which the prerogative of the measure was questioned and resisted, as dangerous and unconstitutional. In like manner in 1756, previous to the introduction

tion of the Hessian troops, a message was delivered from the King, acquainting the Parliament of the circumstance. And the Commons, in answer, besought his Majesty to add to that foreign force, by bringing over a body of Hanoverians. Upon this occasion it was likewise observable, that at the close of the Sessions, their Speaker (Mr. Onslow) made a celebrated speech to his Majesty in the House of Lords, and in addressing the Throne, reminded his Majesty of the danger and delicacy of introducing foreign troops, of the alarm which such a measure must necessarily create throughout the kingdom; expressing likewise the confidence of the House, that his Majesty would make a wise and temperate use of the important trust reposed in his hands. Mr. Grey said, he would next state the case of the year 1775, when the bill of indemnity was passed the House upon occasion of substituting foreign troops at Gibraltar and Minorca in lieu of those sent to America. And he said, he hoped to find the talents of a Right Hon. Gentleman (Mr. Burke), who had so eminently distinguished himself upon that occasion in opposing the prerogative of the Crown, equally alive and active upon the present in the support of the same constitutional principles. Ministers at that time thought fit to defend themselves upon the necessity of the measure, but gave up every pretence that it was either constitutional or legal, and screened themselves behind a bill of indemnity: Against that measure there had been a very spirited protest entered on the Journals of the House of Lords, and signed by many of the highest characters in the Peerage; among them the Duke of Richmond, who was at this time one of the Cabinet advisers of the King, and who possibly might at this day think that measure legal and constitutional against which he had protested in the year 1775. The Right Hon. Gentleman opposite him (Mr. Pitt) had insinuated, for he had not asserted it openly and boldly, that the check the House of Commons possessed over the improper exercise of this prerogative, consisted in the bill which that House might be called upon to pass, for billenting those foreigners in like manner as our native troops. What degree of check they possessed by the necessity of such a bill, he left Gentlemen to judge who contemplated the unceasing and extensive increase of barracks throughout the kingdom during the last year. On the other hand, he stood forward to maintain, that whenever a measure, such as the subject of their present consideration, became necessary, ministers should either obtain the previous consent of Parliament to it; or, when it clearly arose from circumstances that were unavoidable, they ought to apply for a bill of indemnity. The House ought to come to an immediate determination upon so important a subject. In his opinion it was a question of the first

magnitude to the constitution of England, and important to the very principle of freedom itself; for of what avail was it to us, to say or think we were free, if the King had power to introduce among us any number of foreign troops that he might think fit, to overawe and subdue his subjects at his pleasure? He did not mean to insinuate, much less to assert, that his Majesty had any such intention; but the act was in itself alarming, and ought to rouse the constitutional jealousy of that House. Gentlemen might decide upon it as they thought proper: He was on his part persuaded, that in the country the vote of that night would be taken as a test of the real sentiments of the House of Commons. He begged leave therefore most seriously to remind Gentlemen, that, while they daily expressed their alarms at popular encroachments on his Majesty's prerogatives, or a disposition in some to disobedience to lawful authority, it would highly become them not to sit silent, and neglect the rights and privileges of the people. Indeed it appeared to him to be the most melancholy part of the character of the times, that while those in authority were punishing with unrelenting rigour and severity many poor ignorant individuals for a few offences, and some of them possibly misled by men who are now in his Majesty's cabinet, they were neglecting the most important interests of the people of this country by unnecessarily extending the royal prerogative, and treating with contempt all arguments in favour of popular rights; this he conceived to be treason against the constitution of the country. We might as well declare at once, "that the Revolution, in which some weak men might have gloried, was nothing more than a successful rebellion; that the present family, who happily for the people filled the throne of these kingdoms, are usurpers—that passive obedience and non-resistance are the best doctrines—that opposition to sovereign power, at any time, and under any circumstances, is an opposition to the ordinance of God—that the actions of tyrants are not to be examined by the people, for that sovereigns are God's vicegerents upon earth, and accountable only to God for their actions—that under any oppression whatever, resistance is a crime, and implicit obedience is a duty of the subject." These were doctrines which it would be candid to avow at once, if the rights of the people were to be altogether neglected, and no attempt was ever to be made to check any increasing prerogative of the crown; and if we were to proceed in punishing every miserable man without mercy, for endeavouring to call the attention of the public to any popular neglected rights, under the pretence of avoiding the anarchy and confusion of France. There was no man in the country, who abhorred more than he did the scenes of violence, disorder, murder, and desolation, now acting in France.

He detested their present government: He thought it what it had been lately called by his Right Hon. Friend (Mr. Fox), a furious and rigid tyranny.—Furious and rigid it certainly was, and the last form of government under which he would wish to live; And were he obliged to make his option between the two, he had no scruple to declare that he had rather live under Caligula or Nero, than under the present government of France. Against such a system the last drop of blood he had he would consent to shed; but he would make no less exertion against encroachments upon the rights of the people by extensions of the royal prerogative. He hoped we were not in so desperate a situation, that to avoid one extreme we were necessarily to be driven into its opposite; for our constitution admitted of neither. He was sure his Majesty had no bad intention in the exercise of his power, but it was the duty of that House to watch over the prerogative which his ministers might advise him to make use of; and he was sure also that his Majesty would not think Parliament shewed any distrust in him by following the steps of the constitutional Parliament in the time of King William. "*Atque ego hoc non in M. Tullio, neque his temporibus vereor. Sed in magna civitate, multa et varia ingenia sunt. Potest alio tempore, alio consule, cui item exercitus in manus sit, falsum aliquid pro vero credi. Ubi hoc exemplo, per senatus decretum, Consul gladium eduxerit; quis illi finem statuet, aut quis moderabitur?*" Mr. Grey concluded with moving, "That to employ foreigners in any situation of military trust, or to bring foreign troops into this kingdom, without the consent of Parliament first had and obtained, is contrary to law."

Mr. Powis opposed the motion, and assigned the reasons which led him to do so, notwithstanding that he had on a former occasion contended against the principle of the crown having a right to introduce foreign troops into the kingdom without the consent of Parliament. It was true that he had several times expressed a desire that the House should be watchful over the minister and the prerogatives of the crown: This he allowed to be one part of the duty of a member of that House; but he must contend that it was not the only duty of a member of Parliament. That duty was to be regulated by circumstances. He knew that they ought to be on their guard against the *vultus instantis tyranni*; but at present *civium ardor prava jubentium* was more to be dreaded; and he confessed that at the present moment half a dozen persons with red caps or bonnets on their heads, arraying themselves in order of battle, would alarm him more than crowns and sceptres, or all the *regalia* of monarchy. The greater part of the arguments of the Hon. Gentleman who brought this subject forward, appeared to him

to be irrelevant, and to bear but little or no analogy to the present case. Much apprehension, he observed, had been expressed of danger: He must for one declare that he should think it time enough to be alarmed when he saw any thing of that kind. The Hon. Gentleman, Mr. Powis observed, had called upon those who had opposed the administration in the year 1775, relative to the employing of foreign troops, to stand forward and support his motion.—He was one of those who voted against the ministers in the year 1775; and he did so because he thought the measure illegal: But he conceived he could point out very material distinctions between the principle of the two cases. In 1775, the foreign troops were sent into garrison in two very important places, and the English troops were sent to America: This he thought unconstitutional, and therefore voted against it. But what was the fact in the present instance? A body of Hessians had been brought over for a particular purpose: They were disembarked, it was true—but it was for the purpose of preserving their health, which would have been affected by remaining so long on board the transports.

Much reliance had been placed by the Hon. Gentleman upon precedents. There was one precedent which, Mr. Powis said, he thought precisely in point; and that was, the case of 1784. In that case, the foreign troops, on their return from America, were obliged to be landed in England, from the circumstance of the river Weiser being frozen up, which rendered it impossible for them to return home immediately: He should be very glad to hear a distinction between the two cases. It was further to be observed, that in the year 1784, when this measure was adopted, the opposition of that day took no notice of it, though, about that time, they had carried some motions against the ministers: The opposition of that time did not want talent or energy, but unfortunately the Hon. Gentleman was not present to point out their duty to them.

Mr. Powis said, he knew not what the public might think of him for opposing this motion under the present circumstances, and for appearing to support the prerogative of the Crown: Possibly he might be denounced for *incivism*, but he was ready to bear it, should that be the consequence. He alluded to some societies in this country, which are supposed to watch over the proceedings of Parliament, paid them some ironical compliments, and concluded with observing, that until he found ministers attempting to carry the exercise of the prerogative of the Crown beyond its proper and constitutional limits, he should support them; and the discussion upon this subject appeared to him to be premature.

Mr.

Mr. Whitbread said, that notwithstanding the arguments that had been urged by the Hon. Gentleman who spoke last, it would be difficult, from a minute attention to his speech, to reconcile the vote which he had said he would give, with his votes and speeches on former occasions; he must be wrong in the present instance, or have been wrong in the others. One thing, however, he could not pass unnoticed, and that was, the mode of insinuation against characters, which was continually resorted to of late in the most unwarrantable manner. He held it to be equally unfair and unmanly to endeavour by any insinuation to injure characters, against whom no charge of any sort lay, or was even attempted to be stated by those who made such insinuations. If the Hon. Gentleman knew any thing that could justify his insinuations, he called upon him to speak out. *Mr. Whitbread* supported the motion upon grounds of expediency, and the illegality of having or maintaining in Great Britain foreign troops without the consent of Parliament. From the debates and decision of that House in 1775, on a similar motion, the illegality was clear; and he believed the Hon. Gentleman, with many others, joined in that opinion, as the general sense of the House. What had happened since, that ought to alter that opinion, or what danger might be dreaded from the introduction of red bonnets into this country, that could tend to render that legal in 1794, which was declared not to be so in 1774, he knew not; and he would ask if ever there would be a more proper or favourable time to watch with the greatest caution every extension of prerogative, than when the artful deceit and misrepresentation of ministers held forth an idea, that much was to be feared from the democracy of the times, and if it were not checked, tyranny of the worst kind would soon overwhelm us. He thought very differently, and dreaded the extension of the prerogative of the Crown more than any probability of popular tumult. The illegality of employing foreign troops within the kingdom, was established by every precedent that had been quoted: It took its source from the Revolution. The refusal to allow King William Dutch guards, was a precedent, and the Bill of Rights stated clearly that no foreigner, nor any other than a natural-born subject of this country, could hold any civil or military employment of emolument under Government, within the kingdom. The present question however was too strong and important to require the aid of precedent, because when Gentlemen entirely gave way to the arguments of precedent, it would be easy enough for ministers to find precedent, at some period or other, for any thing they might wish to carry through: Indeed, he believed there was nothing, however bad, without a precedent.

The

The present time peculiarly demanded vigilance and caution in Parliament. That House was bound to be on the watch, from the various extraordinary sentences that had passed in different courts, and the exorbitant fines and bail-bonds that had been required, all which he contended to be illegal and unconstitutional. The case of Lord George Gordon might be considered as one instance: That Noble Lord being now no more, could no longer be considered as the political bugbear which he had been deemed, and respecting whom he would only further add, that he always thought he had fallen a martyr to the proceedings of the Court of King's Bench, who imposed so exorbitant a fine. Mr. Whitbread denied that the proceedings of 1784 could bear out the Hon. Gentleman in the arguments he had grounded upon them. For his part he was not satisfied with the message, because it neither stated the number of foreign troops to be landed, the employments they were to have, nor the time they were to remain in this country. There was one article in the treaty with the Landgrave of Hesse-Cassel which had not been noticed, but which, in his opinion, was more unconstitutional than the landing of the troops in England—he meant the article by which his Majesty agreed with the Landgrave, that if any of the troops should be employed in Ireland or England, they were to be put upon the same footing with British troops. By what authority was this article inserted? Would his Majesty's prerogative enable him to comply with that article? He had no difficulty in answering in the negative, but he should be glad to hear the opinion of some Gentleman on the other side of the House upon that subject. Mr. Whitbread concluded with saying, that as his Hon. Friend had gone so fully into the question, it was unnecessary for him to go over the argument again. He should therefore only add, that the present motion had his entire concurrence.

Mr. Windham expressed his disapprobation of the mode of argument which seemed to be so much in fashion with some Gentlemen, who went always on general topics or abstract questions, because in their general assertions they assumed unwarrantable grounds. With respect to the Bill of Rights, and the abstract question, he took it to be, whether ministers had acted illegally by advising his Majesty to bring foreign troops into this country in time of war, and when the exigency of circumstances was such as, in their opinion, rendered that an advisable measure. On this point, however, the Hon. Gentleman who wished to load ministers with censure, had used arguments from the Declaration of Rights, and from all the other precedents that he had mentioned, that were unfavourable to the inferences which he wished to draw from them. In arguing

guing the Bill of Rights, it ought to be construed not liberally but strictly, and as nearly as possible to get at what was meant by those who framed it; and as it could be applied to that and the present times, he would not go so far as to say, as some Hon. Gentlemen had imputed to him, "burn your precedents and rolls of Parliament, and every thing done by your ancestors;" but he would contend, that opinions ought to be formed on all great constitutional questions, from the practice of the constitution, rather than theories or discussions upon abstract questions. He contended that the prerogative of the crown authorised the King to use a discretionary power in this respect, and enabled him at any time during a war legally to bring foreign troops into this country without the previous consent of Parliament. One circumstance Mr. Windham begged leave to animadvert upon, before he sat down. The Gentlemen who maintained sentiments and opinions, on the present political crisis, averse to his, had insinuated, that they were the more vigilant and jealous of the prerogative of the Crown, as they saw the current of public opinion carrying too much of the weight of the great political body of that branch of the constitution, and that the general alarm against democratic principles was likely to render the prerogative too great: He would tell those Gentlemen, that to discharge the office of faithful guards, they had better concur with them, and mutually guard the constitution, and not favour those wild principles and dispositions which excite the alarm, and drive the people from the horrors of anarchy to take shelter in the arms of prerogative.

Lord George Cavendish said, the motion had his full approbation; and he thought it his duty to speak his sentiments on the subject, although what he should say might possibly displease all parties. If it was necessary to bring foreign troops into this country, ministers ought to have stated the necessity, and have come to Parliament for a bill of indemnity. This had been the practice in former times; he wished they had done so in the instance in question, since he had ever understood it to be in strict conformity to the constitution of the country, at least such was the idea he had been taught to entertain of it. Lord George said, he was no follower of new fashions, and therefore not apt to change his constitutional opinions; but there were some people in office who thought that whatever they wished to do was, as soon as it was known to be received and adopted, the constitutional doctrine of the day. It was common to talk of alarm for the constitution; in his opinion, there never was greater cause for alarm than when he saw men with the word Constitution perpetually in

in their mouths, doing all they could to fritter it away, and undermine it.

Major Maitland said, he concurred in the motion, and wished to hear some legal argument upon the subject, if there were any lawyers in the House who thought differently. He combated the arguments of Mr. Powis and Mr. Windham with great warmth, insisting that the former had failed in his attempt to justify the inconsistency of his voting against the present motion, and maintaining the principles for which he had contended in the discussion of the question which had occurred in 1775. With regard to Mr. Windham, that Right Hon. Gentleman, he observed, had declared he had spoken of past facts from memory; he verily believed he had, and that his memory had completely failed him he was convinced, since the Right Hon. Gentleman had never mentioned the Act of Settlement. He allowed that the letter of the Act allowed the King to land troops; but he would challenge any man to deny, that, in a declaratory act, the spirit, and not the letter, was to be most considered; and the Act of Settlement was undoubtedly declaratory. He should beg leave to quote that part of it which says, That no office, or place of trust, shall be given to any person who is not a natural-born subject of this kingdom. He contended that there was nothing in the Bill of Rights that gave the King authority to land foreign troops without the previous consent of Parliament, either in peace or war. The principle of the Bill of Rights was uniformly expressed in the Act of Settlement, and in all subsequent proceedings, even down to the annual Mutiny Bill, which they had that day passed. By that bill, the moment that the Hessians were landed in England, they were no longer soldiers subject to military laws, but actually a banditti illegally armed. And he insisted, that there was no punishment which could be inflicted upon any of those troops, except in civil cases, for they were not to be recognized by the military law. He reprobated in severe terms the hackneyed abuse which had been thrown out by an Hon. Gentleman against democracy, and exclaimed against insinuations without making a charge.

Mr. Francis declared, he rose to speak to a single point of fact, which had been made the subject of much discussion, but which had, in his humble opinion, been totally misunderstood; he meant the article of the Bill of Rights, which related to the maintaining a military force in time of peace, without consent of Parliament. Although he concurred entirely in all the general principles and arguments resorted to by his Hon. Friends, who brought forward and supported the motion,

motion, he differed from them in some degree in their construction of this article; and he did so with some surprise at what he conceived to be their mistake. But he was not at all astonished at finding that, on this point, he differed totally from his Right Hon. Friend on his left hand (Mr. Windham); for that Gentleman had utterly forgotten the words, and of course could not avoid giving a false construction to the meaning of the Bill of Rights. Instead of the words of the law, he had substituted his own, and on those he had argued. He had quoted the bill, as if it had said, "That the introduction of foreign troops in time of peace, was against law." The Bill of Rights said no such thing, or rather it had said nothing on the subject; on the face of the bill it did not appear that that point was at all in question. It never came into contemplation with the patriots who framed the law at that period, that such a question could ever exist, or could ever be debated or endured in a British House of Commons. That what the bill declared was, that the raising or maintaining a standing army in time of peace, without consent of Parliament, was against law. What force? A native force certainly. The force, which they had seen maintained by James the Second. They applied their remedy to the grievance. Not a word does the bill say about the introduction of a foreign army. They did not foresee, they did not suppose it possible, that it could ever enter into an English mind to maintain that the King, by his prerogative, could, in any circumstance, bring a foreign force into Great Britain, without consent of Parliament. For such an event, therefore, they made no provision.

"I grieve (said Mr. Francis) to see that doctrines so gross and dangerous can be maintained by any man, particularly by a man so liberal as my Right Hon. Friend. Is it so indeed? Is this constitution? Then where is our security? God forbid, Sir, that any thing I say on this subject should be thought of, as if it could be applied to the gracious Prince upon the throne! In *his* virtues, we have a security; and it is fortunate for the country that we have that security. According to the principles and doctrines which I hear every day in this House, if they should prevail, I am sure we have no other. But worse times may come, and Princes of a different character may reign over us, in whose hands the doctrines and precedents now established will be weapons to destroy us.

"But a distinction is taken, which is supposed to be prodigiously material. *They cannot introduce foreign troops in time of peace.* Why, Sir, what does it signify? The King, by his undoubted prerogatives, as I hear it perpetually affirmed, can

make war at his pleasure. I deny it utterly; and have no doubt of being able to prove, whenever an occasion offers, that by the history and constitution of England, the Crown has no such prerogative. But, if that be taken for granted, as it is much too generally, what follows? What have the ministers of the Crown to do but to excite or create a foreign quarrel, which is always at their command, and then they justify upon the case. They may bring any foreign force they will into the kingdom, *because it is time of war*; that is, they may make the time and the occasion when they will. If it be lawful, on that ground, to bring in four thousand Hessians to-day, why not ten thousand Austrians tomorrow, and twenty thousand Russians the day following? A base, corrupt, and abject people, when once they are properly frightened, when once they are sufficiently alarmed, will submit to any thing for the sake of being defended. The English nation will be threatened with a French invasion, and instead of being called upon to defend themselves, will be told that they may be perfectly quiet, for the King has subsidized an army of Germans, and will take care to protect them without giving them any further trouble. I trust that Englishmen will look a little to the conclusion of this doctrine, before it be too late. Sir, I am bold to say, that I have learned my constitutional principles from some of the greatest men that have lived in England in my time, and shall not readily abandon them in favour of new ones. With respect to this distinction that is set up and insisted on, namely, that the King has the prerogative in question in time of war, but not in time of peace, I declare for myself, that, if I were forced to an option, I would rather it should be said that the King possessed this power of bringing in foreign troops in peace than in war. Why? Because if such a thing were attempted in time of peace, it would appear at once so alarming and so exorbitant, that every man would oppose the exercise of it. The precedent could not be established, or it could not be materially injurious. Not so when foreign war and fictitious alarms furnish pretences for calling in a foreign force, and create a disposition to receive it. Then indeed the danger is serious. The provision that is made for your defence may be instantly turned to your destruction. On these general grounds I concur in the motion made by my Hon. Friend, and maintain with him, that, either in peace or war, the King has no right to bring a foreign army into this country, or into any part of his dominions, without the *previous* consent of Parliament."

Mr. J. T. Stanley considered the motion as ill-timed and unnecessary. Let the Hon. Gentleman's intention in introducing

ducing it be ever so good and unquestionable, he thought the motion rather calculated to encourage complaint and discontent with those who held democratic principles, than prove of real advantage to the country. The message from the King was, in his mind, sufficient for the House to approve of the measure, as a measure of necessity at this time; and the address of the House, in return to the message, had already expressed their sanction of the measure. At the same time he acknowledged, most fully and decidedly, the illegality of keeping and maintaining foreign troops within the kingdom, without the previous consent of Parliament, either in time of peace or war; and, perhaps, a Bill of Indemnity might be proper. The principle of the motion had his concurrence, but he thought it unnecessary, because the body of foreigners, he believed, was never intended to be employed in this country, but in an expedition against a foreign enemy under Lord Moira. And the Hon. Gentleman appeared, in making the motion, to have thrown down a glove, as a challenge on the part of the people, to see who would accept it on the part of the executive government. He would therefore vote against the motion.

Mr. Wallace * said, that if he could discover in the measure which had given rise to the present question, the slightest violation of the constitution, or the minutest departure from the laws of the land, instead of rising to dissent from the motion, and to state his reasons for that dissent, if he had at all intruded himself upon the patience of the House, it would have been to express towards the Hon. Gentleman who brought it forward, that gratitude which he should ever be proud to avow towards those, whose efforts were directed to secure to him the permanence of those blessings which he enjoyed under the constitution. But when, with the utmost industry and attention, he could not find a shadow of ground for a charge of the nature he had described, so far from being disposed to support or approve the motion, he thought it in itself dangerous, the jealousy by which it was professed to be dictated misplaced and abused; and as it was ineffectual to the benefit, it was effectual to the prejudice of the people, by

* *Mr. Wallace* is the only son of the late James Wallace, Esq. Attorney General during the latter period of the administration of the Earl of Guildford (then Lord North), with whom *Mr. Wallace* went out of office in 1782. *Mr. Wallace* is one of the class of young Gentlemen who have lately come into Parliament, and promise to prove such ornaments to the Senate, by the excellence of their understanding, the cultivation of their minds, the power of their genius, and the extent of their talents. The public are already apprised of the degree of estimation due to *Mr. Jenkinson* and *Mr. Canning*.

sowing in their minds discontents and suspicions, by weakening the arm of government, and distressing and embarrassing those to whom the conduct of the public affairs was entrusted.

He said, that throughout the speeches from the other side of the House, the measure he alluded to had been reprobated as illegal and unconstitutional; but Gentlemen had failed to make out any of the circumstances which he conceived essential to substantiate such an imputation. They had not proved, that to bring a foreign force into these kingdoms in time of war, was contrary to any existing law; they had not proved that it was contrary to the custom and practice of the constitution; and, even admitting the power to subsist in the prerogative, they had not proved, that, in the present instance, that power was abused. As to the last case, as it had not been contended, he should pass it in silence; to the former points, as those alone on which, in his conception, the decision of the question could depend, he should confine the few short observations he intended to make.

He observed, that it was rather extraordinary, that a point of such obvious importance, as whether the King's prerogative did extend to the bringing a foreign force into the kingdom in time of war or not, had not long ago been positively determined, particularly as it had, at different times, given rise to alarms and suspicions, and furnished matter of clamour to the *patriots of the day*. Where such a variety of opinion did exist, it might appear presumption in him to say, he could entertain no doubt; he had no hesitation, however, in declaring, that as far as he had been able to form an opinion, it was, that the King's prerogative certainly *did* go to that extent: At least, he was sure, that such a power had been again and again exercised, and that the instances, he believed, were only to be numbered by the wars in which this country had been engaged. He had looked, he said, to former messages upon the same subject; and if any thing could be concluded from the terms in which those messages were conveyed, the right was most directly asserted. His Majesty tells the House, that he *has given* such and such orders; but not one that he could find, solicited its consent, or sought its approbation. He was led even to think, that should that House disapprove the measure, and carry that disapprobation in an address to the foot of the throne, as it certainly would not render the retaining the troops that were the object of it *illegal*, so it would be a matter of mere discretion with his Majesty how far it should prevail for their removal. That a standing army could not be kept up in time of peace he well knew, because he knew it was an article in the Bill of Rights: But what did it say of a

time

time
was
to b
dispe
as fa
With
the
to c
tion
wars
upon
that
if no
to be
missi
com
ings
Rev
whic
the
selve
rema
had
Hon
coul
In 1
and
way
act,
com
of H
and
must
as c
Parl
simil
177
thos
the
cont
not
geth
wen
that
mitt
gativ

time of war? Not one word: Not one expression of control was to be found. The prerogative in such a period appeared to be without restraint or limitation, as well in regard to the disposition of the forces, as to their extent; except, indeed, as far as it might be checked by the necessity of supplies. With respect to foreign troops, from the Revolution down to the present hour, he could discover nothing that did not go to confirm or recognise the prerogative he had before mentioned. He found them serving in this country through the wars of King William, and disbanded only in the year 1698, upon the conclusion of peace. He could conceive, indeed, that the bringing them over in 1688 might be justified, even if not strictly legal, from the necessity of the case; but it was to be remembered, that ten years had elapsed before their dismissal. The object of their coming had been long fully accomplished; the people were in the enjoyment of all the blessings and exercise of all the rights they derived from the Revolution; and, he must observe, that from the manner in which they were at last dismissed, no one could doubt that if the Parliament had believed the existence of a power in themselves that could effect their removal, they would not have remained to the year 1698. From that time foreign forces had been repeatedly in the kingdom in the years which the Hon. Gentleman had enumerated; in none of these instances could he find any thing like a previous parliamentary consent. In 1757 there appeared an act for quartering foreign troops; and if he said he could discover nothing which could be in any way construed into a consent of Parliament preceding that act, he must be allowed to affirm, that that act did go to the complete recognition of the power of the Crown, independent of Parliament. If, however, a subsequent communication, and address in consequence, was to be deemed a consent, he must then say, that, in the present instance, his Majesty was as completely possessed of every sanction and authority of Parliament, as any of his royal predecessors had ever been on similar occasions. He could not pass over, he said, the year 1775, without remarking, that in that year it was argued by those who opposed the bringing over of foreign troops, that the war with America was to be considered as a sort of civil contest, an internal commotion of the empire, which could not justify such a measure. How far the argument was altogether true or no, he would not say; but that as far as it went it proved the opinion of men at that time, it proved that such a prerogative in time of external hostility was admitted to exist, and it proved that the exercise of that prerogative, in the present instance, was neither illegal or unconstitutional.

stitutional. Here too he must remark, that all the instances alluded to were subsequent to the Act of Settlement, which declares foreigners incapable of any office of trust or emolument within this realm, and which had been insisted upon with so much force; that in none of those instances had it been ever considered, or urged, as a bar to the introduction of a foreign force in times of necessity; that he did not find any opposition ever made to it on that ground; that, for his part, though so much uninformed that he would not venture an opinion, yet he was inclined to think, as they appeared to have thought, that it was not applicable to a force brought into the kingdom from an allied power, for the purposes of support and defence.

If, he concluded, these facts are true; if his Majesty consequently did possess such a prerogative, and a most important prerogative it was, he thought it was the duty of the House to watch the exercise of it, like that of every power in that quarter, with a strictness of vigilance and attention proportioned to the importance of the purposes to which it might be misapplied. But though an advocate for vigilance and attention, he was not an advocate for suspicion; he did not think it becoming the House; it could not be for the interest or peace of the country, that all confidence in the executive power should be at an end; he did not think it among its duties, to teach the people that their interests and those of the Crown were at variance; to suspect that the King's ministers were at all times carrying on an inexplicable war against the liberties of their country; and ever upon the watch to surprise and overthrow them. This he did not think, and trusted that the House would never consent to countenance any motion from whence such a conclusion could be drawn. That he therefore hoped, the present motion would be negatived, as an expression of that unworthy sentiment, unsupported by any single circumstance that could give colour to doubt, or foundation for alarm.

Mr. M. Montague agreed with the Hon. Gentleman who spoke last, that sufficient information had been given to Parliament by the message from the throne, for them to proceed upon; but he was sorry that the question of right, with regard to the King's prerogative, had been started at all: It was an abstract question, and in his mind ought not to have been introduced into the debate. *Mr. Montague* condemned the proceeding of Opposition, who were at all times liberal in attributing to his Majesty's ministers corrupt motives for their conduct; but, if any thing of that nature was insinuated against themselves, their resentment became unbounded; he however was determined

determined not to be intimidated from declaring his sentiments upon the present, or any future occasion.

Mr. Serjeant Adair intimated a wish, that the present motion had not been made at all; but as it was brought forward, he thought it incumbent on him, not merely to give it a silent negative or affirmative. He agreed with those who thought that undoubtedly there was no branch of the prerogative that allowed the King to bring into the country any number of foreign troops, without the previous consent of Parliament. And he would not admit that there was discretionary power vested in the King, on this important point, whether in times of peace or war. Some doctrines had been advanced with regard to the extent of the royal prerogative, which he could not hear in that House without attempting their confutation: It had been said by an Hon. Member (*Mr. Wallace*), that it was his Majesty's undoubted prerogative, to land what foreign troops he thought fit in this kingdom, and to keep them in it, even in contradiction to the opinion of that House. There were many things that might be done, which at the same time would not be advisable; and he had a better opinion even of those who at present directed his Majesty's councils, than to suppose that they would be so absurd to advise such an abuse of the royal prerogative, if such prerogative existed, which he was decidedly of opinion did not. Other arguments had been introduced in the course of the debate, of a very serious and alarming nature, and being more specious, and brought in with greater art and ingenuity, became so much the more dangerous. A Right Hon. Gentleman had contended, that the Bill of Rights ought not to be liberally expounded, but strictly construed. The Serjeant begged to know, why not liberally expounded? In his opinion, it ought to be expounded in the most liberal way; because on it depend all those essential and valuable rights obtained in ancient and modern times, which every subsequent act and precedent on the subject has tended to confirm. He admired the framers of that law, and gave them infinite credit for their wisdom and discretion, in not bringing into question any privilege of the subject which had not been invaded, but left them to stand on their old and stable foundation. Whatever might be said of abstract questions, he thought there was nothing so dangerous as doctrines that tended to the violation of the Declaration of Rights. He was as much against French principles as any man could be; but no fears, no alarms, that he had entertained respecting the propagation of them in this country, no dread of witnessing the same fatal consequences, would induce him so far to forget himself as to fly from one evil to another, and
consent

consent to throw himself into the arms of prerogative, and acknowledge that to be law, which was subversive of the very existence of the principles contained in the Bill of Rights: His only wish was, to see the constitution in its real, proper, and undoubted state, as it had been established and confirmed, and as he hoped it would long continue to remain, unimpaired. As the next point of positive law, he adverted to the Act of Settlement, by which it is clearly and expressly laid down, that the King cannot employ foreigners within the kingdom, in any civil or military capacity, without the previous consent of Parliament; and this did not apply merely to England, but universally to all his Majesty's dominions. In 1756, the Parliament had empowered George II. to employ foreign Protestant troops, to serve with his army in America, but this power was granted with much proper caution and circumspection. All these troops were obliged to take the oaths of allegiance, abjuration, supremacy, and the test; their number was limited, and the time they were to be employed specified; and the arguments used on that, and every subsequent and similar occasion, were reckoned so strong and incontrovertible, that no one in or out of that House had yet dared to question or contradict them. After what he said, there could be no difficulty in collecting his opinion on the subject: He must add his wishes that the subject had not been agitated, because he did not think that any thing had occurred that justified the necessity for such a discussion. And however true those doctrines and principles were that the motion went to assert, they all knew that they were bold truths, and it might not at all times, or at this time, be proper to bring them forward: To justify this opinion, two reasons occurred; first, it was unnecessary, where no violation against them had been committed; and secondly, because it implied that doubts existed, which he denied to be the case, on so material and important a point. Upon the whole, the Serjeant professed, that he was not fond of such discussions. A variety of others on slight pretences, but extremely absurd in themselves, upon the face of them, though leading to difficulty and embarrassment, might be brought forward: For instance, they all knew that it was considered to be the law of the land, that eldest sons succeeded by inheritance to their fathers; but would it be proper to bring that question to a dispute, without any violation of that law having been committed, or any doubts respecting it entertained? With regard to the landing of the Hessian troops, considering all the circumstances, he did not see any danger from it, nor did he know but the humanity of the British character might have rendered it highly proper.

In

In the
disea
forei
not i
frien
it, o
fore,
move

oppo
streng
on th
a divi
fure,
questi

Th

M

expre
the fu
but d
gative
kingd
officer
liame
ought

Th

questi
From
the fu
giving
donab
like th

questi
prono
differ
tender
of th
been c

1756,
presen
kingd
the co
or fur
tering
leave

who w
was f

Vo

In the case of a wreck, or of those suffering from contagious disease, in whatever situation they were otherwise, whether foreigners, smugglers, or any description of men, we could not refuse them protection. He avowed himself to be a firm friend to the principles of the motion, but not to the form of it, or the time at which it was brought forward; and therefore, the Serjeant said, by way of getting rid of it, he would move the previous question: And he hoped that Gentlemen opposite to him would not so much pride themselves on their strength of numbers, nor those on the same side with himself on their strength and superiority of argument, as to hazard a division on the question. The victory to either side, he was sure, was not worth the risk. He then moved the previous question.

The Attorney General seconded.

Mr. Yorke thanked the learned Serjeant for his speech, and expressed his approbation of it, as the best way of disposing of the subject. He said he should vote for the previous question; but declared that he knew of no constitutional right or prerogative, by which the King could bring foreign troops into this kingdom, keep and maintain them here, or employ foreign officers on British pay, without the previous consent of Parliament. If such a prerogative were vested in the Crown, it ought to be retrenched immediately.

The Attorney General said, he should vote for the previous question, which he had risen with great pleasure to second. From his official situation, he might be expected to speak on the subject of the debate: For that very reason he declined giving any opinion at all; because he should think it unpardonable to state an opinion on a great constitutional question, like the present, without the fullest examination. Upon such questions, it was only those who considered rashly, that would pronounce readily. He adverted to, and argued from, the different precedents that had been brought forward; and contended that nothing illegal, unconstitutional, or in violation of the Declaration of Rights and Act of Settlement, had been done in the instance made the subject of debate. In 1756, a message came from the King in the same way as the present, stating that foreign troops were to be landed in this kingdom; and the Parliament voted an address of thanks for the communication, and without any previous consent asked, or further inquiry made, in 1757 they made an act for quartering those troops. He, like the learned Serjeant, begged leave to profess his admiration of the wisdom of our ancestors, who were the framers of those laws so often alluded to; and was sorry they were treated with so much disrespect by the

VOL. I. U u modern

modern patriots of the present day—they having in one of the speeches of that day, been affectedly called “puny politicians:” At least he thought that the collected wisdom of our ancestors had not been excelled; much more excelled by modern competitors for sapience.

Mr. Grey rose to explain: He said, he never meant to shew disrespect to those who brought about the glorious Revolution, or the principles upon which they acted; on the contrary, all his arguments that night had been founded on the necessity of supporting and maintaining those very principles.

Mr. W. Smith said, he would not have troubled the House, but for some very extraordinary doctrines that had been broached. He denied that any prerogative existed, to justify the introduction and employment of foreign troops in this country, without consent of Parliament, either in times of peace or war. He wished to know, if such a prerogative existed, what was the security of the subject. The King, it was admitted on all hands, had the indubitable right of declaring war. If he had annexed to that prerogative, the right of landing foreign troops in the kingdom, without number, the liberty and security of the subject were no more. He observed, that the learned Serjeant (Adair) had said, the present landing of the troops was not an instance of dangerous violation of the constitution, which called for the interference of that House, or for the resolution proposed by his Hon. Friend (Mr. Grey); but he did at the same time seem to admit, that there was in it some small degree of encroachment: And he was of opinion, that it was the best plan in the body politic, as in the body natural, when attacked by disorder, to observe the old maxim, *obsta principiis*. He said he should vote against the previous question, and should have been better pleased if ministers, conscious of what they had done, and how unconstitutional it was, had come forward at once, and asked for a bill of indemnity.

The Chancellor of the Exchequer said, he wished openly and unreservedly to state his view of the question, to assign his reasons why he should concur in the previous question; and why, if that had not been moved, he should have felt no difficulty in giving his direct and unqualified negative to the motion. He avowed the share he had had in advising the measure; he desired no bill of indemnity; and if he were to be called to account for the advice he had given, he would rest his defence on the law of the land; for neither on any written law or practice of the constitution, did ministers stand in need of indemnity. The motion was inapplicable to any practicable case before the House, and therefore he should

vote

vote
tain
ther
givi
wher
be m
in w
but h
to b
to a
fence
been
tion
Gen
the v
of th
vote
mean
perso
forei
had
and
at th
roga
from
it wa
for t
as it
to th
pre
duct
Parli
one
intro
thro
this
had
min
the n
1775
The
war
term
clear
of th
in fo

vote for the previous question. The abstract principle contained in it was founded on no law or declaration of law, and therefore he should not have had the smallest hesitation in giving it a direct negative. He was not now to consider whether permanently, in war or peace, foreign troops could be maintained in this country, under any of the various ways in which the acquiescence of Parliament might be signified; but he was directly to contend, that for his Majesty's ministers to bring such troops into the country in time of war, either to a place of rendezvous for foreign service, or for the defence of the kingdom, his Majesty communicating what had been done, and receiving in an address the apparent approbation of Parliament, was contrary to no law nor precedent. Gentlemen had endeavoured to make a distinction between the vote of thanks of this session of Parliament, and the vote of thanks passed in 1746, by saying the present was only a vote of thanks for the communication; the former, for the measure. This was so merely trivial a distinction, that no person would give it one moment's thought. In the year 1756, foreign troops were also landed; the same mode of proceeding had been adopted; there had been a message from his Majesty, and in return from that House, a vote of thanks. There was at that time no question made concerning the stretch of prerogative by the crown; and those were times not less free from political discussions than the present day; and afterwards it was found necessary to bring in a bill for providing quarters for those very troops; which bill passed into a law, and which, as it was but very short, he should take the liberty of reading to them. This act, he asserted, was a stronger proof that the prerogative of the crown existed, with regard to the introduction of foreign troops, without the previous consent of Parliament, than the argument which had been adduced by one Hon. Gentleman, that an Indemnity Bill, which had been introduced upon a similar occasion, and which had been thrown out as unnecessary, could be of the non-existence of this prerogative; unless Gentlemen meant to contend, as they had done, upon a former occasion, that the opinion of the minority of that House, was the opinion of the House, and of the majority. The next instance he adduced, was that of the year 1775, when foreign troops had been sent to garrison Gibraltar. There had upon that occasion arisen some doubt, because the war in which we were then engaged, could not so properly be termed a foreign war, as a civil commotion; which argument clearly evinced, that in case of a foreign war, the prerogative of the crown could not be denied, as to its power of bringing in foreign troops. In the year 1782, troops had also been

landed, and the proceedings were precisely the same as upon former occasions; and at that time the Right Hon. Gentleman (Mr. Fox), who was even then no stranger to the limitations of the prerogative of the crown, made no complaint that there was any extraordinary stretch of prerogative. The next instance, he insisted, was much stronger, when in the year 1784, at a time of peace, the Hessian troops returning from America, because of the severity of the frost, the rivers being frozen, could not be sent home, were landed at the Isle of Wight, and that too for a time uncertain, being until the weather would permit their return. When the House was informed of this, by message from his Majesty, which message he had the honour of communicating to them, yet, under somewhat extraordinary circumstances, they concurred in an unanimous vote of thanks. When he brought down the message, the Right Hon. Gentleman opposite (Mr. Fox) had proposed a motion to the House, and it was put to the vote, which should be heard first, when he (Mr. Fox) carried it; his motion was, "That his Majesty's then ministers had not got into power, in a manner to conciliate the confidence of that House." He had that very day been appointed by his Majesty to that situation, which he has ever since filled; and this motion, which he never thought of but with concern, was carried against him; yet, nevertheless, in the morning at seven o'clock (and the Right Hon. Gentleman was not apt to be tired of a debate, so that was not likely to be assigned as a reason), when he delivered the message, the House concurred in an unanimous vote of thanks, though there was actually in the House a majority against the minister; who could then, if it had been thought any great extension of prerogative or violence done to the constitution, expressed in an effectual manner their disapprobation. In every instance which occurred, he contended the precedents were in favour of the prerogative of the crown. The remedy for the danger to be apprehended from this prerogative of the crown, was, that the King had no means of paying troops without the consent of Parliament. Such was the admirable structure of our constitution, that it provided various checks against the abuse of prerogative, and lodged in the hands of the House of Commons the most effectual of all checks, the power of the purse. He would therefore neither admit historically, as founded on precedent, what he did not believe to be true, nor prospectively, as a measure of precaution, unless strong reasons indeed could be shewn for curtailing the efficient prerogative of the crown at a time when it was to be exerted in the prosecution of a necessary war. He argued, that from the treaties lying on their table, they

they might see that it was considered that the crown was vested with the prerogative of landing foreign troops, for in the present treaty with the Landgrave of Hesse-Cassel, there is an express provision for what pay the Hessians shall receive in case of their being taken into Great Britain or Ireland; and also the same clause in several former treaties of the same kind. He contended that if this principle went to violate the constitution, it should have been objected to, when those treaties were properly before the House, which had not been done. He discussed the nature and tendency of the Declaration of Rights and the Act of Settlement, neither of which, he contended, could, by any rational construction, be made to controvert the principle that the previous consent of Parliament was necessary to the introduction of foreign troops into this kingdom in time of war; and after a variety of comments on the arguments of the mover of the motion and the mover of the previous question, he concluded with repeating, that the motion was neither founded in fact, nor applicable to any case before the House.

Mr. Fox began with observing, that he scarcely ever recollected a question that had given rise to so extraordinary a degree of extraneous matter, or to so great a variety of abstract arguments, as the present. He felt a considerable difficulty in replying to the different observations made on both sides of the House; but notwithstanding all the grave advice from the Attorney General, on the danger of agitating the question, still as a part of his duty, he could not, in justice to his constituents, adhere to what had been recommended with so much solemnity, and from such respectable authority. The proposition which some of the Right Hon. Gentleman's friends had deprecated as unnecessary and dangerous, which some could not hear mentioned without indignation, and which one only had dared to avow, the Right Hon. Gentleman had maintained in its full extent. Surely the Right Hon. Gentleman, who had so many opportunities of displaying his eloquence, needed not have been so fond of the pleading he had prepared for the occasion (and a more able pleading, for prerogative against the constitution, had perhaps never been made), as obstinately to press forward, against the warnings of his friends, a proposition, which if true left no liberty remaining, and gave full sanction to all those writings which had been called libels on our form of government.

It was not for him, he said, to account for the conduct of the Chancellor of the Exchequer, who persevered in his opinion on a question that excited no small share of indignation, even among those Gentlemen who co-operated with him on
other

other subjects. If the doctrines of the Chancellor of the Exchequer were true, he argued, that nothing which had been said by the most atrocious libellers of the constitution, could be reprehended by Administration; because the arguments of the Right Hon. Gentleman went to prove, that we had a constitution in words, but not in reality, not in essence, and effect, not in permanency. God be thanked, he exclaimed, this was not true! for the Bill of Rights was in direct contradiction to what had been advanced by the Chancellor of the Exchequer and his Honourable Friend (Mr. Windham) who sat near him. That Gentleman had thought fit last year to manifest his fears, and support the minister in every question, since he enlisted under the ministerial standard. He had left his friends, because he thought the constitution in danger: This he must attribute to the acuteness of his feelings, and the same motive which urged him to depart from his friends, should now have induced him to resist this most violent and unconstitutional stretch of prerogative. He conceived that the Attorney General had expressed something like half a wish to support the prerogative; but he conceived it his duty to come forward and state boldly, what, with respect to the question, was the prerogative of his Majesty in time of war. He reprobated the conduct of ministers, in attempting to justify the landing of foreign troops in this kingdom without the previous consent of Parliament. It was unnecessary for him, he said, to point out the consequence that must arise from such doctrines, if adopted, where foreigners being the instruments of a misguided Prince, or a licentious government, might be turned against the dearest rights of the constitution. Great stress was laid by the Chancellor of the Exchequer on the circumstance that they were not to remain *long* in the country, but now the House was informed that they were to remain in the kingdom until sent on foreign service. He was of opinion that a Bill of Indemnity should have been at least introduced to justify the measure, a measure which, during the American war, was declared, in both Houses of Parliament, as one that annihilated *Magna Charta*. If a Bill of Indemnity had been brought in, the preamble would have run thus, as in former instances; "Whereas certain doubts have arisen:" But to this constitutional phraseology the minister was averse, as he argued that the prerogative of the crown was fully competent to the introduction of foreign troops, agreeable to the Bill of Rights. His Learned Friend (Serjeant Adair) had observed, that it was better not to argue the question, than for the opposers of his Hon. Friend's motion to have a decision against them; but this was an argument to which he never could

consent to subscribe; though left in a minority, it was his duty to persevere in what he thought essential to the benefit of his country; and though the House might neglect its honour, it did not follow that he should deal treacherously with respect to his own. A Bill of Indemnity had been offered to the Chancellor of the Exchequer, but this he rejected with indignation; he however conceived it equally the duty of Parliament to form a Bill of Indemnity on one question, as it might be necessary to bring forward a Bill of Attainder on another. But if a bill of that nature was brought forward, Gentlemen on the other side of the House would necessarily be compelled to confess, that the prerogatives of the Sovereign were not such as they wished to maintain, though he trusted that the House would never exercise its dignity, and shew them that the King was endowed with no prerogative that militated against the constitution. It had been said on the other side of the House, that the Gentlemen who supported the motion, had presumed on more wisdom than their ancestors, though the precedent of 1737 bore them out in every argument they had offered. They had not brought forward a single new argument on the subject in debate; then how inconsistent was it to accuse them of being bold innovators, and agitators of a question repeatedly discussed, and which they maintain ought to sleep for ever? He ridiculed the idea that as the word *War* was not precisely specified in the Bill of Rights, and the word *Peace* was alone mentioned, that his Majesty could consistently with the constitution, introduce foreign troops into the kingdom; this, he said, was a fallacious argument, reprehensible in the extreme, as being a most daring attack on the principles of the Bill of Rights, which he defined not to be an enacting, but a declaratory law, on which the House should, on all occasions, put the most liberal construction. Allowing the Chancellor of the Exchequer every argument that could operate in his favour on the precedents which he adduced, he would ask him, Mr. Fox said, what had been the law anterior to the passing of the Bill of Rights or the Act of Settlement? If the House was guided by precedents, those Acts never would have passed, which prevented the landing or the suffering of foreign troops to remain in this kingdom. He maintained, that it was monstrous and absurd to say, according to the Chancellor of the Exchequer's definition of the Bill of Rights, that the royal prerogative could be carried to the extent of authorising the landing of foreign troops in this country in time of war, or in time of peace. If that were the case, how could he reconcile to himself the Mutiny Bill, the preamble of which did not recognise the circumstance, but

was

was in direct contradiction to the arguments adduced by the Right Hon. Gentleman? He reminded Gentlemen of the debates that had taken place in 1775, on sending foreign troops to garrison Minorca and Gibraltar. With what indignation was the preamble of a Bill of Indemnity brought in by ministers then received, because it stated that doubts had arisen respecting the legality of employing foreign troops in any part of his Majesty's dominions without the consent of Parliament? The bill with this preamble passed the House of Commons; but when it came to the House of Lords, it was thought better to throw out the bill entirely than suffer it to pass with a doubt expressed in it on a point of such constitutional importance. Then it was that Lord Camden laid it down as a maxim, that the law knew no distinction between peace and war, with respect to the right of bringing foreign troops into this country, and that it could be done at no time without the previous consent of Parliament. The Bill of Rights, Mr. Fox said, was to be considered as declaring the constitution on particular points recited in it, which had been previously attacked and endangered, not as declaring the whole of the constitution. In what books, or in what practice anterior to the Revolution, did Gentlemen find this distinction between peace and war, which they now so much relied on?

The Dutch guards in the time of William the III^d were not suffered to remain in this kingdom by virtue of the royal prerogative. They were voted in the army estimates, and had therefore the sanction of Parliament. Where, he asked, was an instance of foreign forces being introduced, without the approbation of the Commons? In 1745, it was true they were introduced; but then the country was in a state of rebellion, and even at a period so alarming, it was confessed that the minister did an illegal thing, which was got over and sanctioned by the subsequent approbation of Parliament. In the year 1775, there was a previous consent of the House, and therefore all precedents were in fact proofs against the existence of any such dangerous prerogative in the crown, which those Gentlemen who opposed his Hon. Friend's motion had suggested. An Act of Indemnity he professed was unusual where it applied to the officers of the crown when acting illegally; but where a number of persons were implicated (for instance, if these troops were resisted by those on whom they were billeted, in consequence of their being an illegal force, a circumstance which might lead to consequences the most disagreeable and dangerous), then a Bill of Indemnity was necessary to avert the evil. Such a bill therefore would, in his mind, have been a more salutary measure to recommend, than

than the previous question, as proposed by his Hon. and Learned Friend. In 1776, the House had no objection to a Bill of Indemnity; but at this period, when one Gentleman (Mr. Wallace) had made assertions the most unconstitutional ever uttered before a British Senate; it demonstrated what were the constitutional doctrines which the opposite side of the House wished to establish. He entreated every Gentleman present to act with great caution and deliberation on as momentous a question as ever arrested the attention of a British Senate, and to resist, with a manly firmness, the strange and incoherent doctrines advanced by ministry. It had been asserted, that the foreign forces had been introduced here for the purpose of foreign service; but he cared not what was the cause, where the consequences to the Bill of Rights were fatal. Subsequent events might reveal the mystery. But again he said, he wished to impress on the House what might attend this unwarrantable exercise of the prerogative, if these troops were to become the instruments in the hands of a wicked Prince, or a venal minister. The divine prerogatives of the crown, was a language which he did not expect to have heard during that night's debate. During the arbitrary reign of James, it was true that it was considered blasphemous to attempt defining those limits, to which he set no bounds; but he conceived that at this time words more suitable to the tongues of British freemen were those that defined and supported the divine rights of the Commons. They were assured by his Majesty's ministers, as an excuse for the landing of those troops, that they were not to remain long in the country. But this was not the question. Would the minister, he asked, say that it was legal or consistent with the spirit of the constitution? Who are to tell an army of Austrians, of Hulsans, of Hanoverians, or of Dutch, that their further continuance in England was contrary to law? Was the House to wait until it was surrounded by foreign mercenaries, and then present them with a piece of parchment, or the Bill of Rights, to convince them that they were violating the liberties of Englishmen, and acting repugnant to our constitution? Who was to translate the contents? and when they were translated, could the Right Hon. Gentleman answer what deference they would pay to that bill, which had been treated with so much indifference by him and his adherents? He conjured the House to consider that the liberty of Europe has been destroyed by the illegal use of the mercenary arms of Kings and of Princes. The liberties of the people, and the privileges of Parliament, he said, were evidently at stake, and he entreated those who heard him not to desert either, through private

VOL. I. X x friend-

friendship or personal interest. If there existed a party in this country which manifested a wish to lower the monarchical power, that party would be defeated by not rendering that power odious by a wicked and dangerous extension of the prerogative of the crown. Let the Commons prove true to the people, and the people would remain obedient to the Commons. We have no invasion to fear, said Mr. Fox, but an invasion of the constitution; and the Parliament, which was its natural watchman, would regard with a tenacious and a jealous eye any measures calculated to destroy the balance of power in the Three Estates, by any unconstitutional extension of the prerogative of the crown. When the eyes of the world were turned to the Constitution of England, he implored the House not to suffer its admiration to cease, or to assist in permitting its noble structure to be defaced. Ireland, he said, was a free and imperial kingdom; though she may allow of foreigners at home, yet if they once crossed the Channel and arrived in this country, they must be considered as an illegal army, and Government could not, without the consent of Parliament, suffer them to remain in this kingdom. It was therefore incompatible with Magna Charta to oppose the motion of his Hon. Friend. The preamble of the Mutiny Bill, "Whereas a standing army in time of peace is against law," was always the same in war, as in peace—a clear proof that a distinction between peace and war with respect to the prerogative of the crown never entered into the contemplation of those who framed it. He pursued his subject, and entreated that the introduction of foreign troops on the present occasion, a measure perhaps not blameable in itself, might be qualified in some way or other, so as not to establish a precedent of right in the crown, and make the Bill of Rights appear to be considered as a successful usurpation, not, as it really was, an honest declaration. He called on the Gentlemen who had taken part with him in the debates of 1775 not to abandon their former sentiments, without well considering the importance of them. Let them reflect that the question was the constitution, and the weapon the army; and that such questions were not to be governed by nice points and distinctions, like common law cases. If there was any cause of alarm from any internal party hostile to the constitution, which he did not believe, the true way to combat such men was to shew practically that they were wrong: To prove that the House of Commons were virtually, if not literally, the representatives of the people; that they were vigilant for the interests of their constituents; that they were as much on their guard against the encroachments of prerogative as against those of any too popular party;

but
for
they
to
vari

T
prop
law
trary
the
them
ment

M
and f
time
thing
previ
who

Th

Th
Ad

Th
answe
Lord
of the

M
genera
by mo
and to
of the
any ob
what h
conten
hoped
" Tha
Lordsh
circum
ous tha
possible
ready t

but above all that their opinions were not warped by regard for this or that minister, that they did not embrace now what they dreaded eighteen years ago, and that, with respect to the great principles of the constitution, they were invariable.

The Chancellor of the Exchequer rose to explain: He said, his proposition was distinctly this, that although it was not against law to bring foreign troops into this country, yet it was contrary to practice; and ministers would be culpable not to take the earliest opportunity of informing Parliament, or to keep them long in the country without the consent of Parliament.

Mr. Martin said, he had lived half a century in the world, and should now cease to be surprised at any thing: For every time he had come lately to the House, he had met with something more surprising than the time before. He wished the previous question to be withdrawn, that it might be known who would vote for the claims of prerogative now set up.

The House divided on the previous question.

Ayes — 184

Noes — 35

The original motion was consequently lost.

Adjourned at twelve o'clock.

TUESDAY, February 11.

The Speaker acquainted the House that he had received an answer from Lord Cornwallis, to the letter he had sent to his Lordship on the 9th of January 1793, containing the thanks of the House.

TRIAL OF MR. HASTINGS.

Mr. Wigley said, he conceived it to have been so much the general wish of the House last sessions, impelled no doubt by motives of justice, to accelerate the trial of Mr. Hastings, and to bring that process to as speedy a decision as the nature of the circumstances would admit, that he did not foresee, that any objection would be made, or any opposition offered, to what he should propose on the subject. He would therefore content himself with simply moving a resolution, in which he hoped the whole House would concur. His motion was, "That a message be sent to the Lords, to acquaint their Lordships, that the House of Commons, under the present circumstances of the trial of Warren Hastings, Esq. are anxious that the trial should be brought to a conclusion as soon as possible; and to inform their Lordships that the Commons are ready to attend the trial as many days, as many hours in each

X x 2

day,

day, as their Lordships can conveniently spare for that business, until the trial shall be finished."

Mr. Fox said, he had not the smallest objection to the general purport of the motion, but the particular part of it which related to the hours, appeared to be promising a little too much. He was not sure the managers would be prepared every day to speak as many hours as their Lordships should be pleased to expect them.

Mr. Jekyll said, "The general silence of the House flatters me into a belief, that we are unanimous in the support of any proposition which may tend to the acceleration of this extraordinary trial; the duration of which has, in my opinion, been long disgraceful to the character of British justice in the eyes of every European nation.

"But, Sir, I do not rise to cast an imputation on the high tribunal which entertains the question, on those Honourable Persons to whom we have delegated the charge of prosecution, or on those who conduct the defence of *Mr. Hastings*; but to deplore that delays have arisen almost from the very essence of the proceeding, and to lament, not principally that the unfortunate gentleman, who is the subject of our accusation, should have been so long borne down with the load of anxiety and expence, but that the very principle and right of impeachment, the noblest palladium of the Commons of England, have consequently fallen into popular odium and disgust.

"In times of crisis and importance like these, when within these few hours, in this place, I have seen gigantic strides taken to encroach upon the constitution, and rights and liberties of the people, I lament the right of impeachment should fall into distaste. A Right Hon. Gentleman (whose absence I regret as well as the melancholy cause of it) once said, that the name Liberty had been so used, as to make liberty unpopular, and the name of an impeachment has fallen under a similar perversion: It has been tarnished and depreciated by protraction and delay. But that protraction and that delay have yet been pregnant with one advantage to the administration of justice, which the most sanguine expectation could not have looked forward to—the return of Lord Cornwallis from India—a name dear to every man who admires the union of public talents with every public and private virtue. In 1786, the proceeding commenced, and the noble Marquis finds it unfinished in 1794. The first article had been brought forward before he left England. If it should be thought expedient, either by those who conduct the prosecution, or by those who advise on the part of the defendant, the testimony of Lord Cornwallis will be eminently useful to elucidate two grand points at issue between

between the contending parties : Or should he not be called as a witness, the ample resource of experience his mind abounds with on this particular subject will be opened to the information of his fellow-Peers. From that experience of the well-administered affairs of India for the long period of near eight years, he will be enabled to represent whether the measures of Mr. Hastings, and the opinion of that immense people as to his reputation and character, are such as we in our charge at the bar of the High Court have painted them, and whether he be really the base and atrocious character our accusation has described him."——

Mr. Taylor spoke to order. He said, he could not possibly have any objection to encomiums on Lord Cornwallis, or any general observation on the circumstances of the trial; but it did not, in his judgment, appear that such observations were pertinent to the motion before the House.

Mr. Speaker, on *Mr. Jekyll's* endeavour to shew he was still regular, informed him that he had digressed from the question before the House. *Mr. Jekyll* bowed in submission to the Chair, and discontinued further pursuit of his argument.

The question was then put and carried *nem. con.*

ALIEN BILL.

Mr. Secretary Dundas observed, that the provisions of the Alien Bill were originally calculated to answer a temporary purpose, that they proved effectual to the full extent of the expectations of those who framed them, but that they were now about to expire, and it would therefore be necessary to renew them. A practice, he said, had been recently taken up, which, if suffered to continue, would tend to defeat the purpose of the Alien Bill altogether. Persons who were to quit the kingdom had been arrested for debt, and then, being in the custody of the sheriff, they did not quit the kingdom. *Mr. Dundas* said, he had reason to suspect, that they caused themselves to be arrested, for the purpose of evading the Alien Bill. He had some doubts how far that could legally operate to retard the progress of the law. He should inquire further into the matter, and if he found it necessary, he should bring in a clause to provide for that case. He then moved, "That leave be given to bring in a bill for establishing regulations with respect to Aliens coming into this country, or residing therein in certain cases."

Ordered.

FRENCH PROPERTY IN THE FUNDS.

The Bill to prevent the transfer of funds, or accepting any bill of exchange, &c. payable in France, was referred to a Committee

Committee of the whole House, after which it was agreed to consider the report on Friday. The other orders of the day were then deferred.

Adjourned.

HOUSE OF LORDS.

WEDNESDAY, February 12.

NOTICE OF MOTION.

The Marquis of Lansdown informed their Lordships, that he had come down on each of the two preceding days to the House at the time when their Lordships usually entered on business, but it had been his misfortune to find the House adjourned at an early hour; he had however been told that a Noble Friend of his (the Earl of Lauderdale) had moved, that the House might be summoned for Friday next, at which time it was his intention to trouble their Lordships with a few observations on the present very critical state of public affairs. At the opening of the Session, his Lordship said, he had flattered himself with hopes that some measure would have been adopted that would have brought about a general peace upon safe, advantageous, and honourable terms to this country; but from the great preparations going forward in every department at home and abroad, he concluded that hostilities were meant to be pursued on a still more extensive scale than before. The Marquis said, he would deliver his opinion like an honest man, fairly, candidly, and temperately; as he did not mean by what he should offer to the consideration of their Lordships, to disclose danger, or excite alarm, but would submit what he had to offer, in such language as he was convinced the minister would himself hold, did he entertain the sentiments that he did.

HOUSE OF COMMONS.

WEDNESDAY, February 12.

ROCHDALE CANAL.

Mr. Blackburn moved, That the Rochdale Canal Bill be now read a second time.

Colonel Stanley opposed the motion, and proposed by way of amendment, instead of the word, "now," to insert the words "this day six months."

Mr. Egerton supported the amendment.

A debate took place:—*Mr. Dent*, *Mr. East*, *Mr. Wigley*, *Mr. Powis*, and others, were in favour of the bill.

Mr.

Mr. Peele, the Master of the Rolls, and other Gentlemen, were against it.

The House divided,

For the original Motion 109

For the Amendment 51

The bill was then read a second time, and ordered to be committed to a Select Committee.

TRIAL OF MR. HASTINGS.

Mr. Adam desired that the Journal of the House, dated the 6th of February 1788, be read, and then moved, "That a note of the names of Richard Barwell, and Philip Francis, Esqrs. Members of that House, be given to the Serjeant at Arms attending that House; and that he do give notice to the said Members to be present at the trial of Warren Hastings, Esq. on all occasions."

Ordered.

ADMINISTRATION OF JUSTICE IN SCOTLAND.

Mr. Adam said, he was anxious that there should be laid before the House, an authentic account of the proceedings of the Court of Justiciary in Scotland, relative to the criminal trials which had taken place there; and therefore, the motion which he had to make on that subject was, "That there should be laid before the House, an account from the Books of Journal of the Court of Justiciary in Scotland, as far as they respected the trial of Thomas Muir, Esq. and the Rev. Thomas Fyfe Palmer." If no objection were made, *Mr. Adam* said, he would make his motion then; or, if more agreeable to the House, he would give notice of the future day on which he would bring it forward.

The Chancellor of the Exchequer said, he had his doubts on the subject. If it should appear that the granting of the papers in question were a mere matter of course, he could have no objection. On the other hand, if the motion were made with a view to imply any thing like a censure on the proceedings of the Court of Justiciary with respect to the trials alluded to, or even to imply a doubt of their rectitude and propriety, his opinion was so strongly made up on that subject, that he should be inclined to resist the motion. He therefore hoped the Hon. Gentleman would have no objection to allow some time to consider this matter.

Mr. Adam said, he would bring the motion forward on Friday; and if then opposed, he would give notice for the discussion on a future day.

WOOLCOMBERS.

Mr. Balford moved, That the several petitions presented on behalf of the Woolcombers, stating their apprehensions of the mischiefs that would ensue to them, if a machine lately invented for combing wool, should be brought into general use, by which many thousands of them would be reduced to want of bread, might be referred to a Committee.

The Chancellor of the Exchequer said, there was no doubt that the subject was important, and he felt the necessity of affording individuals every possible protection from hardships: At the same time they ought not to consider the particular and immediate interest of individuals in preference to the public and general interest. The subject was not to be viewed partially, and without due attention to the general principle, by which the interest of this country at large had been so much promoted.

After a short conversation, the petitions were ordered to be referred to a Select Committee, who are to report the facts adduced in evidence before the House, but without giving their opinion on the subject: The whole being afterwards to be fairly submitted to the judgment and decision of the House.

SLAVE TRADE.

Mr. Alderman Newnham said, he was anxious to know when the Hon. Gentleman who moved for leave to bring in a bill to abolish the Slave Trade to Foreign Territories, intended to bring in his bill.

The Speaker informed him, that the order of the House on this subject was, that a Select Committee, which had been named, should prepare and bring in a bill upon the subject. The spirit of that order meant that there should be no unnecessary delay. But until the Hon. Gentleman should give his objection on the delay the shape of specific a motion, he must rest satisfied with the result of a private inquiry.

Mr. Wilberforce professed not to have the least inclination to refuse any information that he could give on the subject. He had no intention to delay the business; but in fact he had been indisposed during the last three days.

CONVOYS.

Mr. Taylor presented a petition from the owners and masters of vessels now lying in the port of London, complaining of the great loss they had sustained in consequence of the Lords of the Admiralty not having granted them sufficient convoys, &c. and praying general relief. Ordered to lie on the table.

The Mutiny Bill was read a third time, and passed.

The

The Marine Mutiny Bill was reported, and ordered to be ingrossed.

The House, in a Committee of Supply, passed the following resolutions:

For rendering the House of Peers more commodious, and for warming and ventilating it,	£.	s.	d.
	465	11	10½
For the Clergy and Laity, French Refugees,	27,692	4	6½
For works in the Fleet Prison,	3,376	8	0
For ditto, at Somerset Place,	9,255	6	9
On account of Land Tax paid for salaries of Commissioners for auditing Public Accounts,	1,814	15	4
For debts contracted by Mr. Tilly, Agent and Consul General at Tripoli,	2,111	1	0
For trouble of persons inquiring into losses sustained in evacuating the Musqueto shore in 1786,	1,084	15	0
For surveys at Cape Breton,	669	9	11
For moneys issued to Bishop of Quebec, for stationary for Upper Canada, and for expences of administration of justice in Newfoundland, &c.	1,504	10	6
To Commissioners for inquiring into the Laws, &c. of the island of Jersey,	537	12	6
For losses sustained by Mr. Starbruck, by his removal from Nova Scotia,	248	18	0
For American Civil Officers,	19,500	0	0
For his Majesty's service abroad, between January 5, 1793, and January 5, 1794,	14,585	10	6
For money issued pursuant to addresses,	46,619	13	7
To Commissioners of Woods and Forests,	2,043	0	0
For American sufferers, pursuant to act 28 Geo. III.	211,295	6	8½
To ditto, pursuant to act 30 Geo. III.	56,796	7	6
For expence of prosecuting Mr. Hastings,	10,749	3	8
For sending provisions, &c. to, and expences of convicts at New South Wales,	19,820	8	10
For expences of convicts on the Thames,	11,393	4	8
For convicts in Langstone and Portsmouth Harbours,	13,576	17	8½
For the extraordinary expences of the Mint,	18,844	12	4
For the African forts and settlements,	13,000	0	0
To pay Exchequer Bills,	1,500,000	0	0

Agreed to, and ordered to be reported next day.

HOUSE OF LORDS.

THURSDAY, *February 13.*

At twelve o'clock the House met, and adjourned the appeals which stood for hearing this day to Monday next.

Their Lordships then proceeded to Westminster Hall, to the trial of Warren Hastings, Esq.

At half past two the House being resumed, a message was sent to inform the Commons, that their Lordships would proceed in the trial of Mr. Hastings on Wednesday next.

Adjourned till to-morrow.

HOUSE OF COMMONS.

THURSDAY, *February 13.*

The Speaker informed the House, that on the breaking up of the trial at Westminster Hall, he should follow the arrangement upon that subject last year; that as soon as there were forty Members present he should take the chair, and proceed on private business; but that public business should not commence until five o'clock.

The Marine Mutiny Bill was read a third time, and passed.

The Bill for raising a loan of eleven millions on annuity, to carry on the war, was read a second time, and ordered to be committed to a committee of the whole House to-morrow.

The bills for repealing the duty on Gloves, and on Births, Burials, and Christenings, were read a second time, and ordered to be committed to a Committee of the whole House to-morrow.

The bill for imposing a duty on Attornies, was read a second time.

Mr. Jolliffe said a few words on the hardships to which certain clerks would be subjected by the intended tax on such as were already articulated to attornies.

Mr. Rose said, there was a pretty general misunderstanding as to parts of the operation of this bill. There was a clause in it, which provided that any attorney, paying the duty on admission into one of the courts, should be admitted into all the others, if he pleased, without paying any thing further.

The bill was then ordered to be committed to a Committee of the whole House, on Monday next.

The Annual Indemnity Bill was read a second time, and ordered to be committed next day.

Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, *February 14.*

The order of the day having been read for their Lordships to be summoned,

The Marquis of Lansdown said, he was extremely sorry to have given their Lordships the trouble of having come down to the House that day, more especially as he was obliged to put off his motion on account of having received intimation from a noble Lord, high in office (*Lord Grenville*), that it would be inconvenient for him to attend, on account of business of public importance. The Marquis said, that he was happy at all times to accommodate ministers, who, God knew, had enough upon their hands in times like the present, a period so big with difficulty and danger, that there was no occasion to add to the weight of responsibility with which his Majesty's servants were already loaded very sufficiently. For his part, he was ready to give them every accommodation that he possibly could give, short of a due discharge of his duty to the public at so very important a crisis. As the deferring of his motion would necessarily in some sort disarrange the business of their Lordships, of which notice had already been given, he had spoken to a noble Earl, who had moved to have their Lordships summoned for Monday next. That noble Earl had been kind enough to consent to put off his motion till Tuesday; he meant therefore to move to discharge the order that stood for the day, meaning afterwards to move, that their Lordships be summoned for Tuesday, under the idea that it would be generally understood by their Lordships, that the business which had been intended to have come on that day would be brought on next Monday.

Lord Grenville declared, that the noble Marquis had been perfectly accurate and correct in his statement of the reasons which had induced him to put off his motion. He had found it necessary to send a note to the noble Marquis to request it, for the reasons which had been already stated, and the noble Marquis had readily complied, for which he begged to take that opportunity of expressing his sense of it. *Lord Grenville* assured the House, that he was extremely desirous of meeting every question of public importance, with as little delay as possible, but most especially a question of the interesting and important nature of that, which it was understood the noble Marquis meant to propose to bring under discussion. He begged leave further to assure them, that nothing but public business of a pressing and indispensable nature could have induced him to wish the discussion of the noble Marquis's

motion to be delayed for a single moment; no matter of private convenience would ever induce him or any of his Majesty's ministers to protract the consideration of a subject, which was deemed to be interesting to their Lordships or the public.

The Earl of Coventry reminded the House, that there was already a business of pressing necessity fixed for Tuesday, viz. the Committee of Privileges, which for obvious reasons ought not to be deferred.

The Earl of Lauderdale admitted, that the occasion for that Committee to sit was pressing and important, and he hoped it would no longer be delayed.

A short conversation ensued, between Earl Stanhope and Lord Lauderdale; and the Marquis of Lansdown's motion was agreed to.

EXPEDITION TO AID THE ROYALISTS IN FRANCE.

The Earl of Moira rose, and begged their Lordships attention. He said, he had not taken the liberty of moving for the House to be summoned, because he had conceived, that if the debate which had been expected, had come on that day, he might in the course of it incidentally have availed himself of the opportunity, and stated all he wished to say in consequence of some discussions (respecting a matter in which he had an immediate personal concern) that had taken place in another Assembly. The debate having gone off, he would take advantage of the occasion of being present, and enter into an explanation of matters, which from the manner in which they had been treated elsewhere ought to be correctly understood. The Earl said, his explanation would necessarily draw him into some degree of detail, but he would endeavour to be as brief as possible. Early in the summer he had been sent for to town, and offered the command of an expedition not immediately to be undertaken. He readily gave his consent, and accepted the proposition. He was afterwards sent for again to town, and desired to take the command of a different service (to adjust and succour the army of the royalists) immediately to be commenced. Having given his consent to undertake the first command, he could have no objection to the second. He accepted it therefore, and prepared without delay to execute the object of ministers. On the 17th of November he was honoured with his Majesty's commands, and by the Friday following he had settled all his arrangements, and set out for Portsmouth. Owing merely to accident of wind and weather, the frigates and transports could not come round, and the fleet did not sail from Portsmouth until the 1st of December.

While at Portsmouth, and previous to his sailing, his Lordship said, his Majesty's ministers had received information of
a meeting

a meeting held by persons deputed by ministers to the army of the royalists, at Doll in Normandy, who had agreed upon a plan of operation; but owing to the difficulty of intercourse, it so happened, that the information did not reach his Majesty's ministers till fifteen days afterwards, the 25th of November. By that information, it was settled what signals were to be made by the English fleet on their arrival upon the coast, for the purpose of directing the troops where they thought the descent most practicable, and a variety of other matters were adjusted. On the 1st of December they sailed, and early the next morning they made the coast of Cherbourg. He ran down the coast for a considerable extent, hoping to find the royalists in the force that had been represented to him; but not one of the concerted signals, though repeatedly made by the different ships, was answered from the shore. Not knowing how to account for this circumstance, and in obedience to his orders, his Lordship said, he proceeded to Guernsey, where, in consequence of contrary winds, he did not arrive till the 25th. His Lordship desired the House to attend to the dates which he had occasion to mention, because the whole of his explanation rested on that particular. While at Guernsey, he dispatched a number of emissaries in search of the royalist army. He at length learned that the royalists had made an attack on Granville, but had been defeated, and had retired to the banks of the Loire. All the French journals and newspapers however stated, that one column of the royalist army had directed its course towards Caen in Normandy. His Lordship said, that on considering the port, which the royalists had named as the port for him to make, he found that from the peculiar difficulty of access and from other circumstances it would be impossible for him to throw succours into it; he therefore by his emissaries had sent word to the royalists of the doubts he entertained of being able to effect the purpose agreed on, and had directed their march to another point. While at Guernsey a storm arose, that separated from him half his squadron and troops. Conceiving, nevertheless, that the faith of the British government was pledged to the army of the royalists, he thought it his duty, be the event and consequence what they might, to lend them every possible succour which his reduced force could administer. Under the impression of this idea he put to sea, and after he had left Guernsey he appointed the French staff, which had been rendered the subject of discussion in another House of Parliament. He begged their Lordships to recollect the point of time when this appointment was made—while he was expecting to land on the coast of France immediately,
and

and when he meant not to join his army to that of the royalists, but to engraft the royalists forces on those which he had under his command. When he expected, the moment he landed, to have proceeded to battle, to find the royalists dispirited by defeats, and to have to lead them on to instant contest, it was impossible therefore for him, with any regard to prudence, to trust to the chance of subsequent opportunity. He appointed the French staff as he had stated, and it consisted of two aids-de-camp, a French secretary, and a quarter-master general. In having appointed this staff, he had no hesitation to say, that he had not been authorised by his Majesty's ministers; he conceived that the nature of his command necessarily vested him with a degree of discretion adequate to the end of the destined service. If, however, it should be thought by his Majesty's ministers that he had acted improperly, he desired distinctly to be understood, that he took the expence upon himself, and that ministers might, if they pleased, upon the winding up of his accounts, deduct the whole amount of the expence.

Another matter brought into discussion in the other House of Parliament, he understood had been, that he had appointed French artillerists. The fact was, that the council who directed the operations of the royalist army had stated to our government, that they had plenty of cannon, but that they really did not know how to make use of them effectually for want of proper artillerists. Considering that the French had rendered themselves so formidable in the field by means of their artillery, his Lordship said, he thought the circumstance worth immediate attention. He wrote without delay to Flanders, begging that the army in that quarter would supply him with as many artillerists as they could well spare. His requisition was instantly complied with, and as soon as they arrived they were put upon allowance, but their allowance was not included in any pay-list. What could he do less with men, whom he had sent for, from an army in which they were entitled to constant pay? After sending for them, it would be the height of injustice to have turned them adrift, or abandoned them altogether.

He was sorry to see, that among the observations made on this matter elsewhere, the names of the French officers had been called for. If it had occurred to any Gentleman in either House to what danger he precipitated the officers in question, their relatives and connexions in France, he was sure he would not have agitated the subject, at least not have desired their names. He was not a little surprised, that reflections of the sort to which he alluded, had not suggested themselves to Gentlemen in general. Possibly these

these
smile
cum
they
depe
mista
the r
rors,
knew
ed, a
man
by ad
sensib

Th
tain
Hous
those
matte
noble
the e
the fa
to an
to inv
the no
army.
know
did no
ture a
to affi
Hon.
of the
upon
and fa
he as
who sp
as liber
them i
just gi
and th
far fro
ject, b
persisti
a single
stituti
diate c
minde

these officers might themselves with disdain and contempt smile at any disclosure of their character, situation, and circumstances, that could be made; but let it be recollected, that they had wives and children in France, whose very existence depended on their public conduct. Possibly they might have mistakingly pursued an improper conduct in the first æra of the revolution; but whatever might be the sum of their errors, they had amply atoned for all their misconduct. God knew, they had seen the measure of their sufferings fully filled, and let it not be said, that the hand of an English Gentleman directed a dagger to their breast, to increase their pain by adding another wound to the many under which their sensibility was already agonizing.

The Earl of Lauderdale said, it was not his intention to detain their Lordships without any motion being before the House; but he thought it necessary to rise, in the behalf of those, who in another House of Parliament had agitated the matters referred to by the noble Earl, in order that when the noble Earl thought it necessary to favour their Lordships with the explanation which they had just heard, he might take the same opportunity of declaring, that it had never occurred to an Honourable Friend and Relation of his in another place to investigate the time, the motives, or the principles on which the noble Earl had appointed foreigners on the staff in his army. He gave so much credit to the high military character, known ability, and great talents of the noble Earl, that he did not imagine he would take any measure of a strong nature and questionable upon the face of it, without being able to assign strong reasons for his conduct. Neither was his Hon. Friend at all actuated by a wish to depreciate the merit of the French officers in question, much less to draw down upon their relatives and connexions in France the melancholy and fatal consequences alluded to by the noble Earl, which he as much as any man must dread and deplore. Had those who spoke upon the subject elsewhere, received as candid and as liberal an answer from ministers to a plain question put to them in a way perfectly parliamentary, as the noble Earl had just given, sure he was, that they would have been satisfied, and the matter would have been set at rest. But ministers, so far from deigning to afford the least information on the subject, had affected an offensive and insufferable hauteur, and persisting in a sullen and mysterious silence, would not give a single word of answer, and thence had excited those constitutional jealousies and suspicions, which a short and immediate explanation would have prevented. His Lordship reminded the House of the critical and dangerous situation of
public

public affairs, and observed that at such a moment it became Members of Parliament, and most especially Members of the other House, to watch every public transaction with the most jealous attention, and to shew themselves sensibly alive to every matter that bore the appearance of trespass either on the laws or the constitution.

Lord Grenville said, he was far from meaning unnecessarily to go into a debate so irregularly as when there was no question before the House; but he must beg to be allowed to express the high sense he entertained of the very masterly conduct of the noble Earl, who in so fair, so liberal, and so manly a manner had taken upon himself the responsibility for a line of service, as wise, as able, and as judicious as ever had been adopted in a trust of such importance. But liberal as the noble Earl had been that day, he must allow others to lay claim, in some sort, to fairness and liberality, and to take upon them the whole of the responsibility, so handsomely claimed by the noble Lord for the measures that he had pursued. Lord Grenville declared, he spoke for himself and in behalf of his Majesty's government in general, when he desired to be considered as fully responsible for every part of the transactions stated by the noble Earl. With regard to what had passed in another place, perhaps if those, who had there brought the matter under discussion, had given themselves time to make those reflections which the noble Earl had so properly hinted at, as the probable consequences of such inquiries as they had seemed desirous to provoke, they would from motives of humanity have forbore.

The Earl of Guildford said, the House might be assured, that he would not attempt to speak long, without a question to argue upon; but he could not help saying, that he differed totally from the noble Lord, high in office, as to the impropriety of persons in another House of Parliament taking notice, as soon as they heard that foreign officers were put under such an establishment in a British army as entitled them to receive pay while in England. There could not, the Earl said, be two opinions relative to the illegality of landing foreign troops in England, without the knowledge or consent of Parliament. But with respect to the subject in question, had the same fair and liberal explanation as the noble Earl had favoured the House with, been given by ministers elsewhere, all further inquiry would have ceased. There could not exist in any man's mind a wish to provoke or induce the fatal consequences alluded to by the noble Earl; but the explanation once given, there could scarcely remain a difference of sentiment on the subject.

The order of the day was discharged, a new order made for their Lordships to be summoned for Monday, and the House immediately adjourned.

HOUSE OF COMMONS.

FRIDAY, February 14.

CONVOYS.

Mr. Fox said, he had been given to understand by the Chancellor of the Exchequer, that a considerable inconvenience would arise if the subject of which he had given notice should be discussed that day: He would therefore, with the leave of the House, postpone it till Tuesday.

The Attorney General moved, that the order of the day for recommitting the Bill to prevent the transfer of property in the funds, accepting bills of exchange, &c. payable in France, be read. The same having been read, the Bill was recommitted. The report was received immediately, and the Bill was ordered to be ingrossed, and read a third time to-morrow, if then ingrossed.

The Chancellor of the Exchequer moved, that the Rev. Dr. Bathurst, Dean of Christ Church, Oxford, be desired to preach a Sermon before the House, in St. Margaret's, Westminster, on the 28th of February, instant, being the day appointed for a General Fast.—Ordered.

ADMINISTRATION OF JUSTICE IN SCOTLAND.

Mr. Adam reminded the House, that he had given notice of a motion relative to the proceedings had on certain trials in Scotland, which had taken place in August and September last. He did not know whether the Chancellor of the Exchequer had as yet made up his mind on that subject. The nature of the motion which he had to submit was not new; it was similar to the case of *Mr. Wilkes*. It was only to have an authentic copy of the record of the trials laid before the House. He should be glad to know whether the Right Honourable Gentleman objected to that proceeding: If he did not, the motion might be made then, without farther delay. If it should be thought right on the part of any person to oppose the bringing the indictment before the House, in the first instance, he must shape the substance of what he intended to move in another form afterwards; but he wished now to know, whether the Chancellor of the Exchequer meant to object to the motion *in limine*?

The Chancellor of the Exchequer said, he had considered the subject alluded to in the notice given by the learned Gentle-

man, and he thought it his duty to oppose the motion for bringing the record of the proceedings in question before the House. He had no reluctance in saying, that if any person thought there had been any thing improper or illegal in any of the proceedings in those trials, it was regular for the person so thinking to state his opinion at the time of moving for the papers; but he could not consent to the production of the papers, because it might imply something like an idea that there existed some ground of doubt or suspicion, as to the legality or the propriety of the proceedings on the trials in question before the Court of Justiciary in Scotland; and being himself perfectly satisfied, that the Judges in their determination were strictly legal, and that in the exercise of their discretion they had conducted themselves in a manner highly meritorious, it was impossible for him to concur in any vote that might imply a contrary impression.

Mr. Adam said, it was not his intention in any manner to contradict or negative the proceedings of the Court of Justiciary, by the motion he intended to make. Nothing could be more grossly improper than hastily to take up and determine on questions in which the mode of proceeding in Courts of Justice was materially concerned: He abstained from saying one word upon that subject. But there was some embarrassment thrown in his way by the answer he had just received. He should endeavour to explain himself as far as he then could, trusting to the candour of the House when the matter should come to be discussed. He was ready to confess that the proposition which he should have to make, would tend to investigate the judgment and discretion of the Court of Justiciary, if not to prove them wrong; but he wished to keep that back at present. It must appear to the House that it would be extremely difficult for him to maintain and support an objection to the legality of a judgment, without that judgment having been previously laid before the House, and thence rendered capable of reference. The case of *Mr. Wilkes*, and other cases, proved that such a request as he was about to make was neither novel nor unprecedented, but had been complied with by the House. Neither would it tend to lay any imputation on the Court of Justiciary, until the question itself was agitated. He owned, he felt some degree of embarrassment in consequence of the refusal of the papers on the question of the legality of the sentence, and also with regard to the mode of the proceeding in some parts of the trials he had alluded to; all of which would have been removed if the papers had been permitted to be laid before the House. He might be told that that which he stated with regard to the trials had not taken place.

place. This business had made an impression on his mind, and he wished that the matter should come fairly and fully before the House of Commons for their opinion; and in arguing it, he should, to use the language of a lawyer, have assigned errors, as if he was arguing on an appeal before the House of Lords. He then stated the facts which he wished to appear before the House—The libel charging Mr. Muir with seditious practices—The plea put in by the defendant to that charge—The verdict of the Jury on the trial of the issue;—and the sentence of the Court on that verdict. Then, that there should appear before the House such minutes, notes, or other matter, that might be of record with respect to that trial, he should have two motions to make with regard to the trial of Mr. Muir: One, on the commitment of a witness of the name of John Rose for prevarication, and of William Muir for not taking the oath—and something afterwards to add as to the regularity of the proceeding.

The *Chancellor of the Exchequer* said, that both motions might be made on the same day.

The business was appointed for Monday se'nnight.

The report of the Committee of Supply was brought up, read, and agreed to.

MILLERS' TOLLS.

Sir Francis Basset called the attention of the House to the subject of tolls taken by different millers in this country, for grinding of corn. The practice, *Sir Francis* said, required regulation; for the tolls taken were unequal, uncertain, and in many cases extremely exorbitant; and the conduct of some of the millers extortionate, and apparently dishonest. He took a large but cursory view of all the different parts of the subject, and concluded with moving, "That leave be given to bring in a Bill to regulate the price to be given to Millers for grinding Corn."—Granted.

The Bill for raising eleven millions on annuities, for the support of the war, went through a Committee, and the House ordered the report to be received to-morrow.

Read a third time, and passed, several of the Bills for the additional taxes.—Adjourned.

HOUSE OF COMMONS.

SATURDAY, February 15.

Read a third time, and passed, the Bill to prevent the Transfer of Property in the Funds, or accepting any Bills of Exchange payable in France, &c.

The Bill for raising Eleven Millions on Annuities, for the support of the War, was ordered to be ingrossed, and to be read a third time on Monday, if then ingrossed.

The annual Indemnity Bill passed the Committee, and the Report was ordered to be received on Monday the 17th.

The Bills for repealing Duties on Gloves, and on Births, Burials, and Christenings, passed the Committee, and the Report was ordered to be received on Monday the 17th.—Adjourned.

HOUSE OF LORDS.

MONDAY, *February 17.*

Several of the new Tax Bills were read a first and second time. The French Finance Bill was brought up from the Commons, and read a first time.

IMPEACHMENT.

Lord Thurlow informed their Lordships, that he understood the Marquis Cornwallis would not be able to attend to give evidence on Wednesday in Westminster Hall on the Trial of Warren Hastings, Esq.; and as the Managers for the House of Commons wished to decline, and very properly, the further proceeding in the business, until Mr. Hastings had availed himself of the evidence of the Noble Marquis; in consequence of this, he observed, that it was useless for their Lordships to proceed to Westminster Hall on Wednesday the 19th, as they would have to return in the same manner as they did on a former day. For these reasons his Lordship moved, That the Order for Wednesday should be discharged, and that they do proceed further on the Trial of Warren Hastings on Monday the 24th.

MOTION FOR PEACE.

The order of the day being called for, and having been read, *The Marquis of Lansdown* rose, and began with saying—“ My Lords, I do assure your Lordships, that it is with no satisfaction to myself I rise to make the motion which I shall have the honour to submit to your Lordships’ consideration before I sit down. I should have infinitely preferred to see it come from those whose information on the subject, and whose influence in this House, would have insured it success. I should have particularly wished to have seen it in the hands of ministers, because I am anxious only for the object, and have no personal feeling to gratify. I have deferred it, in hopes, at least, that it would have been taken up by some Lord of more eminence, and of more consideration than myself; and I should have been happy to have seconded it, come from what
quarter

quarter it might, without any regard to party or faction, having declared six months back, that whoever made peace should have my hearty support. Happy should I have been, my Lords, to have allowed to ministers all the merit, and all the gratitude, which it would have fixed in the breasts of their country; for, however high the tone of language of men may be for a moment, I am convinced that the true sentiment of the kingdom is in favour of *peace*, and that they who should be the means of obtaining that blessing would cordially receive the thanks of every thinking man. I say, then, my Lords, that I should have been ready to support whoever should have made the motion, and I have deferred it so long only in hopes of seeing it in other and abler hands. But, instead of this, seeing the immense preparations that are making for a continuance of the war, seeing what on the first day of the Session I took the liberty of calling the Bonds and Mortgages on the property of this kingdom, which loaded your Lordships' table; seeing the volume of engagements into which we have entered with foreign powers, the enormous arrangements that are forming in every department, and the solemn declarations that we have made, and are daily making, of perseverance; I cannot let the Session slip by, without coming forward with some motion on the subject, as I think it high time that your Lordships should deliberate for the moment, just to inquire into the cause and the object of our pursuit.

"I do not mean, my Lords, to exaggerate the calamities to which the war has given rise; I do not mean to excite any spirit of discontent; I mean to draw your Lordships to a cool and temperate reflection on the crisis. I will endeavour to avoid every thing that looks like asperity of observation, all harshness of language, all violence of debate; I will not for a moment detain you by any animadversion on the conduct of the war; though, undoubtedly, if the war is to be persisted in, its conduct must undergo your scrutiny; but it is my desire to confine myself to the present state of things, and to draw your Lordships' attention to this single subject: What is the object of the war, and what are the means by which we hope to accomplish it? Though, undoubtedly, other Noble Lords would have been able to have entered into the consideration of this topic with more ability than myself, yet I trust, that you will pay attention to my facts, whatever indulgence you may give to my arguments, and to my reasoning on them; for, my Lords, if ever there was a subject that called for the deliberate attention of mankind, and particularly of your Lordships, as you involve by your decision the fate of millions, it is the present.

"I will

"I will not enlarge in the shape of declamation; I will not address myself to your passions; I will husband the time and the patience of your Lordships as much as possible; but what, my Lords, must be the feelings of a burdened nation, when they see *thirteen millions* of money voted by their representatives towards the continuance of this war, without even a single consideration being taken of the merits of the cause? when they see this done on the mere pretext of a French pamphlet! Such is the melancholy fact; for though ministers have already, in the short sitting of the present Session, drawn this sum from the pockets of the people, all the grounds upon which they have gone, all the arguments they have used, all the explanations they have given to their country, are extracts from a French pamphlet of a dead man, or a comment, however long and ingenious, on a French faction, that is now no more. They have laid, indeed, bundles of papers upon the table, subsidiary treaties with foreign States, which, as I have said, might be considered as bonds, judgments, and mortgages on the estate of every man in this country; but without entering into any examination of the principles on which it is undertaken, or the object which is in view, other than a few comments on the pamphlet of M. Brissot. My Lords, the people of Great Britain are not likely to think the sentiments of a single individual, and that individual a member of a faction that was crushed at the time of the writing, a good ground for perpetuating the horrors of an undefined and unexplained war. Instead of discussing the characters, the pretensions, or the merits of the persons who compose the Convention of France, let them look to what loaded their table. The individual members of the National Convention were here to-day and gone to-morrow; they were not worth their Lordships' attention, at a moment when they were called upon to encounter and provide for another campaign. It was well known that the faction of Brissot was overthrown, as the present faction might be overthrown; and inflammatory pamphlets by the partisans of each successive faction might furnish pretexts for the continuance of hostilities, if such wretched pretexts are to be considered as legitimate grounds of war.

"After two campaigns, the last of which has been, in truth, the most disastrous, both in the effusion of blood, and in the waste of treasure, that the modern world has suffered, it will not be unworthy of your Lordships to pause for a moment, and, before you involve Europe in the horrors of a third, to inquire into the success of the past. I speak the heartfelt sentiment of every man of every country, that the campaigns have been as unfortunate as to the object, as they have been melan-

melan-
No p
failur
It no
merab
tide o
succes

"I
judgm
succes
from
the te
that r
are in
down
the fu
lents
throug
practi
the un
opinio
by the
the lin
Cham
and th
talents
Duke
him to
subje
his wa
Lords
man v
pagne
would
scarce
then
howev
to loa
idea th
not to
of ato
It was
trate
other
the Pr
fer far

melancholy in regard to the sacrifice of blood and treasure. No pompous declaration can reconcile you to falsehood. Our failure is ascertained by mankind, and is a matter of history. It now comes therefore to be the question, whether the innumerable treaties that we have made are calculated to turn the tide of misfortune, and to secure to us the rational hopes of success in the campaign that is to come.

“ I have no hesitation in saying, that, as far as my feeble judgment can determine, we have no more probability of success now than we had before. If we are to draw wisdom from the experience of ages, your Lordships will not disdain the testimonies that have been borne, by the ablest generals that the world ever saw, against the line of war in which we are involved. From the illustrious Duke of Marlborough down to General Lloyd, the last officer who has written on the subject, the opinion of all the men of great military talents of Europe has been, that an attempt to penetrate France through the frontier which has been the seat of war is impracticable; and that it is madness so to attack it. This is the uniform, unanimous opinion of military men; and this opinion has been, most unfortunately for the allies, verified by the fate of the two last campaigns. Let us see what was the line of the war: The first attack was made by the line of Champagne and Lisle; the next by Maubeuge and Landau; and these attacks have been made under men of the greatest talents, and the greatest military fame in Europe. Of the Duke of Brunswick, the Marquis said, it was impossible for him to speak in terms of panegyric too lofty: His retreat had subjected him to the most cruel reflections: It is attributed to his want of management; whereas, I can take upon me, my Lords, to say, on the concurring evidence of every military man with whom I have conversed, that his retreat from Champagne was highly honourable to his military talents, and would have made the reputation of any General, who had scarcely any fame to boast of before, as General Dumourier, then his enemy, openly and candidly confessed. The allies however, doubtless to support their cause, found it necessary to load him with reproaches, to delude the people into an idea that the Duke alone was to blame, and that they ought not to look to the true cause of the failure, the impossibility of achieving the gigantic enterprise that had been attempted. It was, my Lords, the natural result of an attempt to penetrate France; and you see that the same fate has followed the other two. Did General Clairfait fare better at Lisle? Has the Prince of Saxe Cobourg fared better? Has General Wurmsler fared better? All these officers, the highest in reputation,

I

all

all bred in the best military schools of Europe, have had the same fortune." Of the Prince of Saxe Cobourg's skill and military knowledge no man could entertain a doubt. His private character, the Marquis said, he highly esteemed, as much as he admired his talents as a soldier and a captain. Of General Clairfait the Marquis spoke in liberal terms; admitting that he was a soldier of fortune; no man, he was persuaded, would hazard the assertion, that to his incapacity any one of the disasters he experienced was attributable. "I forbear to go further, for reasons that will be obvious to your Lordships; but I might pursue the question without any hazard of finding an exception in any of the other attempts that have been made by other commanders; and we are now beginning a third campaign after this melancholy experience. But it seems a new officer, of middle rank (his Lordship obviously alluded to Colonel Mack), has formed a new plan, upon which all the Cabinets of Europe rest their hopes, and upon which we are again to hazard the lives of our fellow-creatures in so perilous a contest. My Lords, I will not affect to dispute with the Cabinets of Europe on the question of the new project suggested by this distinguished officer, in whom they affect to have such confidence. Genius is undoubtedly not confined to any rank; and I have found, in the course of the little experience that I have had in the military profession, many instances of high and meritorious services performed by officers of the middle ranks." The officer to whom he alluded had certainly seen great service, and had probably conducted, with some degree of success, very gallant enterprises; but while he did not think unworthily of his enthusiasm, or his military talents, he nevertheless could not conceive it very likely that he should be able to succeed in accomplishing an object, in which predecessors of such acknowledged military experience and gallantry had failed of success. It certainly, however, was a received opinion in the military science, that the proper sphere of the service of officers of that description was in operations, under the main design, where vigour and rapidity of execution were required. Nor was it a novel thing to find in the military profession, as we find in every other profession, men of such zeal and warmth as to form the most sanguine plans, to undertake the most improbable adventures. Without, however, attempting to detract from the laudable zeal of the Gentleman in question, his coming forward to revive the drooping spirits of ministers, in their romantic crusade, was not astonishing. What malady was there ever known so great, what patient so ill, but some physician would be found to prescribe and undertake his cure? What case was there ever so abstruse and intricate,

FEB. 1
tricate
and p
the
sugge
which
to it.
back
succes
We a
saved.
battle.
for an
pend
which
campa
French
which
cendar
of Pac
buted
lousies
and in
mity f
will b
public.
ciple o
to pro
describ
nected
genera
and be
leave t
his Ma
has at
midabl
behove
likely t
passion
sure of
military
are inu
were d
away, a

* A
a disa
R. P. K
VOL.

tricate, but some lawyer would receive a fee, accept a brief, and promise to bring him through? I am not therefore (said the Marquis) so much astonished that we should find an officer suggesting a new plan, as to see the credulous avidity with which it is embraced, and the implicit confidence that is given to it. It is surely of consequence to your Lordships, to look back to the only rational ground upon which any estimate of success can be made, the experience that we have had already. We are told that we have had success; Flanders has been saved. Let us inquire into the fact: Flanders was lost by one battle, and regained by another. If this experience is good for any thing, it ought to teach us that the fate of Flanders depends upon a single battle, and that it may be lost by the next which shall happen. A little of the secret history of the last campaign would also shew us, that the loss of Flanders to the French was the result of the animosities of private faction, which, there as well as here, first gave Dumourier the ascendant over La Fayette, and subjected him to the triumph of Pache. To the animosities of these factions may be attributed their failure by the defection of Dumourier. The jealousies between La Fayette and Dumourier were the cause, and in proportion to the unanimity of the French (an unanimity firmly established by the persecution of their enemies), will be the difficulty of making any impression on the Republic. Let their Lordships remember, that there was a principle of action and re-action in human nature, that never fails to produce strange and unaccountable effects. This was well described in a Poem*, just published by a Gentleman unconnected with party, a Member of the House of Commons, who generally votes with Ministers, certainly not with Opposition; and being so far analogous to the affairs of France, he begged leave to recommend it to the perusal of their Lordships, and his Majesty's Ministers. But the result of the private factions has at length given to the government of France more formidable power than ever was maintained by any state; and it behoved their Lordships to look at the consequences which are likely to follow, from their keeping up in France the tone and passion which they at present possess. France, by the pressure of the allies on their frontiers, has become a school of military wonder. Young men of fourteen years and upwards are inured to the toils of war; their whole study and mind were directed to one point. Seven years would soon pass away, and there was no man able to prophesy what new pas-

* A Poem recently published under the title of "*The Landscape*;" a didactic Poem in three Books; addressed to Uvedale Price, Esq. by R. P. Knight, Esq. [Mr. Knight is Member for Ludlow.]

sions would possess their minds, nor what unforeseen enterprises they might not effect. Pursue the war, and they would run the hazard of establishing in the centre of Europe a military republic: They would cherish and confirm a spirit that it would be impossible for Europe afterwards to extinguish. They would give a new turn to their thoughts; a new pursuit, a new genius, a new character to the people. Let their Lordships remember, that a revolution was a critical event; that it naturally suggested great plans and projects. Whoever has been long in office, must have found abundant proof of the number of matters of importance which originated in the days of Cromwel, during the Commonwealth; some of them of the first importance, that ever were conceived for the benefit of any country.

“ Lord Bolingbroke says in his works, that all the Spanish statesmen with whom he conversed, said of Philip, that they would have been able to have made him as good a Spaniard as any of the Philips before him, and unconnected with France, but for that alliance between Holland and England. The effect of that alliance has lasted down to our days, as was seen in the family-compact, and the armament respecting Nootka Sound. Thus if we persevere to goad, to attack, and to hunt the French, we shall only confirm, never to be rooted out, a military republic in the very heart of Europe. And do not let us proudly conceive that our combination will make us formidable, because it is opposed to a single people; when we sharpen talents by irascibility, when we inflame the natural energies of the soul, when we call forth and arouse every faculty of nature, each individual becomes something more than man: In fact, my Lords, the consequences are not to be calculated by the arithmetic of common events. And such has ever been the experience of ages. Great moments have always produced great men and great actions. The time of conflict is the time in which Nature seems to delight in her grandest productions. From the Grecian republic down even to our modern history, the most resplendent powers of man have been shewn in the times of the greatest imminence, the greatest difficulty, and the greatest danger. The present, therefore, is a school for Frenchmen; every youth devotes himself to the cause of liberty; and thus actively engaged on the grand scene, all the powers of his soul take a warlike direction; it becomes a fashion, and the whole of the rising generation are educated in the military art: Not, my Lords, as our youth are educated to the military art, as one only of the professions in which they may individually rise to eminence or distinction; but the enthusiasm of war enters into the heart
only

only from the enthusiasm of liberty; and the whole country is taught to feel that their only occupation, their only passion, ought to be arms, because their only good, their only blessing, is independence.

“ Such is the war in which we are engaged, and in which England has taken the lead; and has become, if I may make use of the common expression, the cat’s-paw of Europe: And such are the effects which our confederacy is to produce. I wish, therefore, my Lords, to draw your consideration to the point of honour, of policy, of prudence; and to demand of you, as reasonable men, and as Englishmen, whether you ought to persevere in such a war? whether, upon the principles which are avowed, you ought to succeed? and whether, by the treaties which you have made, you are likely to do so? But, above all, I wish you to inquire, as Englishmen, whether the war is not likely to produce consequences fearful to England, fearful to Europe, fearful to the liberty of mankind? And our first inquiry must be, what are the treaties and alliances upon which we place our hopes? I shall run over them with rapidity, as I think it only necessary to point out some of their leading features, and to shew you how little rational confidence ought to be placed in them, and how little benefit can be expected to result to Europe. First; as to Spain, who will ensure to us, even for a single campaign, the continuance of our Spanish alliance? It is obvious that your views on the West India islands of France, and upon the extermination of her navy, throw Spain upon your mercy. All the object of your rival interest, all that contraband trade, which it has been so much your object to encourage to her discontent, all the points that have so long been at issue between you, particularly in 1741, and recently in the case of Nootka Sound, fall at once to the ground, and you gain the complete ascendancy, so as even to demolish the foundations of her power. Do you flatter yourselves that Spain is blind to all this? Do you believe that she will tamely see you gain the possession of islands that must determine her fate? My Lords, you must not trust to so unreasonable a hope: Spain cannot be so inattentive to her solid interests. She cannot have forsaken so completely her uniform system. I have the highest respect for the Spanish character; noble, manly, candid, and open: The Spaniard is a dignified character; but can we alike trust the genius of the government of Spain? And, without descending to inquire into circumstances that have recently happened at Toulon, without inquiring into the differences that have happened in more cases than one, without demanding whether unequivocal signs of uneasiness were not manifested,

when the Spaniards saw a ship of 110 guns taken away by the English, which they thought belonged in preference to them, as the natural guardians of Louis XVII. and how little satisfaction they found in the flimsy pretext, that the French chose rather to be under the English protection than theirs, I will simply demand, whether we can entertain any substantial confidence in this alliance? Would not the very circumstance of the French preferring our protection to that of Spain, awaken her jealousy? Is there any compact to prevent such jealousies? or can there be any such compact in the nature of things? In the mean time Portugal, whose alliance naturally belonged to us, was getting into close relation to Spain, who had endeavoured to strengthen the connexion by family alliances, so as to leave little doubt in whose interest she would be found, with all the advantages she has to offer in her ports, in case of future differences between the court of London and the court of Madrid.

"As to our next ally, the King of Prussia, it is obvious that there are no relations which can interest him to the continuance of this war: All his real relations must lead him the other way: As the head of the Germanic alliance, it must ever be his policy to resist the aggrandizement of the House of Austria. That Germanic alliance, upon which the liberties of Europe depend, seems, for the moment, to be sacrificed to this project against France; and he is now allied with the House of Austria to accomplish an object which must ruin the very object of that league. To support the independence of Prussia, the Marquis said, he would cheerfully vote for almost any subsidy; because, when once the principalities of Germany were enslaved, the world might bid farewell to the liberties and freedom of the Continent. But was it to be believed that the cabinet of Vienna has changed its object, and that Europe has no longer any thing to dread from its unbounded ambition? No such thing. Their Lordships all knew the memorable expression of the late King of Prussia: 'I have seen,' says that great Prince, 'the Austrian generals make faults, but the Cabinet of Vienna never makes a fault.' That Cabinet had been distinguished, not merely by its systematic ambition, but by its incessant, uninterrupted ability in the prosecution of its designs. In no moment has it ever changed, in no moment has it ever abated, from its course; and this power, so restless, so hostile to every other government, which so recently plotted the mighty object of the exchange of Bavaria, by which alone the liberties of Europe would have been demolished, we now see in an unnatural alliance with that very state, whose interest it most immediately is to prevent its designs. Let their Lordships recollect, how near the court

of

of Vienna was to the achievement of her aim respecting Bavaria, having the active consent of Russia, and for some time the consent and concurrence of France. If this plan had succeeded, the chief of the House of Austria would have become King, which was far greater than Emperor of Germany, and all the little German states must one after another have fallen his prey; just as the different provinces of France had fallen into the hands of the Kings of that country, in quick succession. Either Prussia, therefore, cannot be sincerely united to Austria, in the present war, which must of course threaten our confederacy; or, if she is sincere, the connexion must threaten the liberties of Europe, to a much greater degree, than suffering France to continue her present boundaries. Can we believe that a thing so monstrous as this alliance of Prussia and Austria will continue? or that the independent states of Germany can long be kept so stupidly blind to their permanent interests, as to aid and abet the court of Vienna in the present war?

"Our next great ally is Russia, the Colossus of Europe. I call Russia the Colossus of Europe, my Lords, for the best reasons; since, by the vigorous and persevering policy of its Princes, her power has at length been raised to an enormous magnitude. Next to the court of Vienna, that of Petersburg, in the present reign, has become the most systematic of any in Europe. The good sense of the British nation recently saved us from a profitless and impracticable war, on the precipice of which we stood. By the fault of ministers, we made peace, leaving Russia in possession of Ockzakow; for even that might have been prevented, had we interfered earlier, while Sweden stood embarked against her in the war. But we have now suffered her to give a value to Ockzakow, which before had only negative uses, by allowing her to seize the whole eastern division of Poland, reckoning from north to south, and containing three millions and a half of people; with corn, forests, and pastures, some of the finest in the world, which will enable her to make an active use, not only of the river on which Ockzakow stands, but of all the rivers east of the Danube: By this means, furnishing herself with every species of supply for land and sea operations on the spot against Constantinople itself. All this has been done, while our attention, and that of the rest of Europe, has been so imprudently given to intermeddling in the internal affairs of France. And thus has she been able to lay the seeds of power, the future produce of which it is perhaps impossible to calculate. As to her alliance, we may reason from her past, what will be her future conduct. Where, let their Lordships ask, were the forces of Russia seen, that were expected to be sent
against

against the common enemy? Had Russia, in any one particular, fulfilled her promises? In fact, it was her invariable policy, to embroil the southern powers of Europe, in order to exhaust them. We had constantly experienced this disposition. She endeavoured to interfere as a mediatrix in the peace of 1782, only with a design of throwing obstructions in the way, and of retarding the event. It required address to resist her efforts; and she was displeased at not being permitted, at the time of framing the preliminaries of the last peace, to use her good offices to embroil us. Such has been her craft in the present war, instead of sending troops to aid the confederacy, she has been building fortresses in her newly-acquired territory in Poland; that, as soon as she sees her rivals properly exhausted, she may be able to attack her long-devoted victim, the Turk. My Lords, it is a serious consideration that you are thus assisting her project, and countenancing the plan of exhausting the finances of every state in Europe, so as to prepare them for the general overthrow which she projects. I can speak upon the most authentic information, that of merchants who have recently come from the keenest, the most acute, and most observant mercantile country in Europe, that the resources of the Empress, in men and money, are inexhaustible; and that they go beyond the calculation of all men, not intimately acquainted with the foundations of her power.

“Our next ally to be considered, is Holland: Holland—that was dragged into the confederacy by us, against her better judgment; Holland—that has been the cat’s-paw of the cat’s-paw: For the fact is most undeniable, that ministers involved Great Britain in the war, and Great Britain tricked Holland into it, contrary to her own judgment and inclination. What aid are we likely to obtain from the Dutch? Though so formidable a maritime power, have they sent a single ship to sea? As to their army, I forbear to speak; I will not repeat all the stuff that has been told in the newspapers of their conduct. If it be true that they displayed any backwardness, those who recollected the manly struggles the Dutch made for their freedom, would easily account for that apparent backwardness; it only exhibited a striking example of the difference to be found between the conduct of men when engaged in defence of their own liberties, and when drawn in to fight against others against their will; and shewed the wide distinction between fighting in a good cause, and fighting in a bad one; between fighting at home defensively, and fighting abroad offensively.

“There is another ally, the King of Sardinia, from whom certainly much cannot be expected. As to the suspicion which
some-

some
King
of th
Mar
belie
I bel
cal, a
prove
confi
Sardi
thoug
usefu
progr
just a
the I
purpo
and i
“S
all of
confe
actual
friend
pecte
an ob
them
as oft
of ke
louise
asper
perfec
this n
schem
of the
my im
pose;
of two
their
that n
that h
and th
people
“C
neutra
our al
tical m
self, h

somehow or other had gone abroad, that it would be the King of Sardinia's inclination to continue the war for the sake of the subsidy that we give him; it is an aspersión (said the Marquis) equally absurd and illiberal. The King of Sardinia I believe to be an honest man. He has accepted a subsidy, not, I believe, for the sake of a subsidy; but for other sound, political, and patriotic reasons: He has, on more than one occasion, proved his integrity, and manifested his gallantry. But Sardinia, considered as a state, is weak and exhausted. The King of Sardinia cannot do us service. It was always an opinion that, though he might be a small check upon France, and might be usefully employed in the way of diversion and check to any progress of the French beyond their territories in that quarter, just as the French may hold out the terror of an invasion to us, the King of Sardinia could never cross the Var to any good purpose. I remember this was the opinion of Mr. Grenville, and it has been uniformly proved by experience.

"Such are the voluntary alliances of England! if they are all of them to be called such; and upon this heterogeneous confederacy of interests so inimical to each other, of powers actuated by no common motives, tied to each other by no friendship, do we rely for success in this war! Is it to be expected that they can keep together? is it to be believed, that an object that has never been defined, in which no two of them agree, nay, which is stated to be diametrically opposite, as often as they try to define it, shall yet perform the miracle of keeping down all their old animosities, stifling their jealousies, reconciling their differences, smoothing their mutual asperities, and resolving them all into a mass of formidable and perfect union? If, my Lords, you can rationally believe that this miracle will be performed, you may attach hopes to any scheme that may be presented to you for the further progress of the war. I confess, my Lords, that it does not enter into my imagination, that the league can endure to any good purpose; but that it will soon be found, that the artful ambition of two of the courts (Russia and Prussia) maintains it only until their rivals are exhausted. In the mean time it is manifest, that none of our allies have money, except only that power that has taken care to give you no other aid than promises; and that the whole burden has fallen, and is to fall, upon the people of Great Britain and Ireland.

"Our next point, my Lords, is to look at our conduct to neutral powers, whom we are endeavouring to force to become our allies; and here, my Lords, I must lay it down as a political maxim, that whatever system a nation may adopt for itself, however profuse it may be, and regardless respecting its
OWN

own existence, no nation has a right to dictate a system to another. There is no country in Europe that ought more religiously to act upon this principle, since there is no country that could be more endangered by the violation of this right than ourselves. I fear that we have lost, by our conduct towards neutral nations, something more valuable than even our blood, we have lost our honour. One great point, which he had just alluded to, ministers have appeared to have wholly overlooked: They had not considered that a nation in pursuit of its object, might declare war, and waste its treasures, and hazard its existence; but in regard to neutral nations, every insult offered to them might operate against ourselves, "to-morrow, and to-morrow," after the war had subsided, as a just punishment for our inconsiderate and imprudent conduct.

"It is of the utmost consequence in this war of opinion, where the French are accused on all sides of perpetually violating public law of every description, that the allies should not be supposed to violate the law of nations. It behoves England particularly to be on its guard, as having already suffered much by the odium contracted in being supposed too eager in searching for enemies goods in neutral vessels, as well as in using too high a tone of power, and having really too much power by sea. Not only this, but our immediate interest, should compel us to be very attentive in not breaking in upon the rights of neutral nations, to whom we have been singularly beholden in different quarters in former wars, and may be so again. Several of these rights we had particularly stipulated for in various treaties, and had always upheld them not only for our own account, but for the benefit of Europe, both in political and commercial views. Let us see, how we have proceeded in these cases with neutral nations, where the papers would speak for themselves. Every other loss we might have borne, we might have retrieved; but the latest posterity would pass judgment upon us in respect to the outrages that we have committed upon neutral powers. I will read to your Lordships (said the Marquis) a few extracts from part of the diplomatic correspondence of the present war: I will not detain you long; for I shall only read to you the harsh words, the pointed cannon which you have used against independent states, merely because they were weak and you were strong. Here the Marquis went succinctly into a recapitulation of the correspondence that passed between Lord Hervey and the Court of Florence*, and of our other ministers with Sweden, Den-

* All the State Papers referred to, we shall print at the end of the Report of this interesting debate, excepting such as necessarily become an indispensable part of the Speech, for the sake of intelligibility and connexion.

mark, Switzerland, and America. "On the 22d of May, Lord Hervey sent his first note, intimating the arrival of a Spanish and English Squadron in the Mediterranean. He received for answer, from the minister of the Grand Duke, a respectful declaration, that his Royal Highness was determined to maintain a strict and unchangeable neutrality. To this Lord Hervey made a reply, expressive of his astonishment, but declaring that he would make known the answer to the Court of St. James's. Yet, to prove that he had received his instructions, and that this young Lord, perhaps of warm passions, full of ardour, and laudably desirous of shewing his zeal in the cause in which he had embarked, did not act from himself, he forthwith dispatched a circular letter to all the other ministers at the Court of Tuscany, making known this declaration of the Grand Duke, and conveying it in terms harsh, revolting, and altogether unprecedented. After this, on the 8th of October, he presented a memorial, in which he peremptorily called upon his Royal Highness to dismiss the French minister within twelve hours, or Lord Hood would act offensively against Leghorn. Such was our conduct to the brother of the Emperor, our ally; such was our outrage on an independent state, as distant from every principle of policy as it was from decency, and from the law of nations: And he would appeal to any Gentleman in England, if such degrading propositions were offered to him, in the situation of that Prince, if he would not rather resign his sovereignty, than submit to such ignominy. Ministers should have considered before they offered such a premeditated insult, that that Prince whom they had treated so rudely might to-morrow or next day hold the reins of government, nay even fill the throne of the Emperor. One would think that a short recollection of the late quick succession of Monarchs in the House of Austria, might have taught ministers the wisdom of forbearance from so gross an insult. I believe that it is a received opinion among those who are conversant in Courts, and who have the best means of judging, that obligations conferred on Princes (services I mean) are usually, if not constantly, forgotten; but that insults and injuries never are. It is a well-known anecdote, that the late King of Spain never forgot, nor forgave, the threatened bombardment of Naples, while he was sovereign of that country. And it was as opposite in national policy, as in court policy; for never was there any article, in any treaty, more beneficial to England, than that in the treaty of Savoy in 1669, and the celebrated treaty of Worms in 1743, concluded and signed by all the great men of that time.

"The Duke of Savoy in 1669, by a treaty of commerce with Great Britain, confirmed several ports in the Mediterranean as free to the whole world, and particularly to Great Britain. In 1718, Spain and Austria declared that the town of Leghorn may and ought *perpetually* to remain a free port, in the manner it *then was*; which clause was recognised by Great Britain, France, Spain, and Holland, in the quadruple alliance which they made with Austria in the same year. In the treaty of Worms in 1743, a treaty which had in express view the commerce and liberty of Europe, and the prevention of Italy and the Mediterranean sea being under subjection to one and the same family, which would particularly (as was said) be fatal to the interests of the Maritime Powers in the Mediterranean, and which contained provisions designed to secure its effect for *times to come*; it was agreed between Austria, Sardinia, and Great Britain, that Final should be and remain *for ever* a free port, as is Leghorn. So that by these provisions in favour of the freedom of the Mediterranean ports, the policy of this country and of Holland as commercial nations, may evidently be perceived, in which also other great states, looking to the liberties of Europe, then equally concurred.

"What is to become of us hereafter, if our wars with France and Spain should be renewed? Will they not hold the same language to Leghorn and Genoa, which we now do, and even to Portugal, supposing Portugal not to be in their league, and avail themselves of the precedent, which for the purposes of the moment we shall thus have established against ourselves? Can we expect hereafter any power to make the same answer which the Comte d'Oeiras (Pombal) so nobly did to France and Spain, "that his Master would sooner see the last tile of his palace fall, than depart from the established laws of neutral nations?"

Our attempts on other neutral nations were of the same nature, and our correspondence with them, instead of containing any one common principle of established public law, varies according to circumstances, and particularly the resistance that might be expected from each power according to situation. To Genoa it has been the language of the strong to the weak. With Sweden and Denmark we were content to stand on particular treaties, because they happened to be favourable to our views, and even these were narrowly interpreted. The state of them with Denmark made it requisite to have recourse to other arguments, if sophistry can be called argument. The answer of the Court of Denmark, with the counter-declaration inclosed in it, was a sufficient

ficient reproof of their arrogance. In fact, Count Bernstorff's reply was one of the most argumentative and the most masterly diplomatic productions he had ever read. Such was its impression on his mind, that it ought to have a place in the records of Europe as long as records exist, and deserved to be studied by every young Lord, who would find principles in it, which must always stand their ground, while justice or policy prevailed. He spoke with nearly equal praise of the wisdom and temper displayed by the Canton of Berne, and said that, "If folly was to overspread the rest of the world, wisdom would take refuge in the senate of Berne." It was impossible therefore to read without mortification the language which a young Lord of high family and great talents had been made to hold to them by our ministers.

"But our treatment of all other neutral powers was nothing in comparison with that which we had shewn towards America; our sister people; our relation; our family compact; our natural ally; our friend, who spoke our language; who professed the same religion, who felt the same interest; and was tied to us by every affection. Our conduct to America, he said, had been marked with more than common outrage; he was afraid with blackness of guilt, that he almost shuddered to examine.

"Without any possible subject of contention, supposing the late treaty of peace carried fairly into execution, we had contrived to become embroiled with that country, though she had already, in this very war, shewn so much good disposition towards us, particularly in passing by many little provocations, and though she had at the head of her government a person of such consummate wisdom and force of character, as to set an example to all the other powers of the world. This great man, instead of attending to the cry of the moment, as is commonly seen to happen, and much less raising a false cry, in order to have a pretext of bending to it, had the firmness to resist popular opinion and to wait for the return of good sense and sound judgment in the public, which accordingly did return, to his infinite honour, so as not only to give to him, but to the American constitution, additional consequence, and no small reputation to the people at large. Under such circumstances what could tempt us to issue the order of council of November the 6th, without consulting a single merchant? An order which we were obliged to repeal with such little honour to our councils six weeks afterwards. He hoped we had nothing else to settle with America; but suspicion certainly prevailed on some other more important points. It was to be feared strong suspicions did exist in the

breasts of many in that country of our being accessory to the war made on them by the Algerines, the most cruel of all wars, considering it as delivering over the seamen of the freest nation in the world into the hands of the most slavish, the most barbarous, and the most merciless. It was to be feared, that there existed suspicions in the same country of a still worse nature, which was that of our having some indirect part in the war of the Indians, who in the time of the American war had been called by the ministers of the day, "the weapon which God and nature had put into our hands." It was always stated to be bad policy to countenance the Indian wars, as the Americans were said generally to end them by gaining new tracts of lands from the Indians, when peace was concluded. The Marquis said, it became necessary to mention these things, however painful, to give ministry, if they had the means, an opportunity to contradict both the one and the other, as he was honestly desirous that they might do it for their own honour, as well as for the public good, not by diplomatic answers, which might easily impose upon a willing audience at home, but by such undeniable proofs as would satisfy America that we never departed from our cordiality towards her, nor ever would, and above all things that we had never given into these proceedings, which by their nature were so detestable and impolitic, and would deserve such strong reprobation on the part of their Lordships and the public.

"Thus, whether we looked to our confederacy on the one hand, or to the neutral powers that we had irritated on the other, he saw nothing very promising to hope. Of all the powers of Europe there was not one, who would not rather keep out of the contest, if left at liberty to do so, or who had not some separate view of interest of its own for engaging in it, which must take place at the expence of the whole.

"There is one thing however, which all the continental powers are in want of, and that is money, which deserves some consideration, as Great Britain is to supply all deficiencies.

"Spain has issued sixteen millions of dollars in paper-money (about three millions and a half sterling), though that country could scarcely circulate the paper it had before, which had sunk its exchange 20 per cent. Neither Spain, nor any other of our confederates, except Russia, had credit in neutral countries (such as Genoa, Italy, Switzerland, and Holland); for all of them, except Prussia, who had not any credit whatever, have proposals for loans which do not fill, including even Sweden

Swe
any,
lott
cern
her
ever
for
port
“

vale
inde
mon
defe
The
Indi
cont
had
supp
At t
depe
thos
long
ject
was
distr
beca
that
of t
Am
intr
fo m
and
of g
and
depe
take
for
dou
effe
requ
with
Add
the
thro
mus
and

Sweden and Denmark. The credit of Holland was worse than any, having lately endeavoured to raise a million sterling on a lottery, which would have yielded five per cent to the concerned, but none would subscribe, though Holland used to get her money at $2\frac{1}{2}$ per cent. On the other hand, in France, every thing was converted to the public use, paper being used for internal purposes, and gold or silver for its necessary importations.

“The whole is thus left upon us; and what return or equivalent are we to expect for the people of this country? Is it indemnity? What indemnity? We would not, after giving money to all the world, dirty our hands in taking any from a desolated country: Was it any West India island or islands? There was a time when, upon the old principles, the West India islands, to be taken from an enemy by conquest, were considered as a great source of wealth. But at that time we had America, which obliged them to depend upon us for great supplies as well as a market for some of their productions. At that time too the African trade was permitted, and they depended upon us for their slaves, and for their safety against those slaves. But things were now changed, and they had no longer the same motives for reliance on attaining those objects through us. We were even contented, now that America was separated, to let our own native islands suffer material distresses for their supplies from that quarter; and it was only because the Governor of Jamaica was without an option, that he had, by the last advices, been obliged to open the ports of that island for six months for several essential articles of American production. The liberal principles introduced and introducing every-where on the subject of slaves, which does so much honour to the age and to this country in particular, and which proves that we are not so over-run with the spirit of gain, as not to feel the principles of religion, morality, and humanity preponderating, has given another blow to their dependance upon us. The Marquis said, that he had never taken a part on this question, not for want of these feelings, for he had them as strong as any man, but from entertaining doubts regarding the question of property, which might be effected by an excess of liberality, precipitating a change which required time for it to be consistent with justice, as well as with the great object itself that was originally in view. Added to this, he said, that the St. Domingo proclamation and the late proceedings in the Convention must spread gradually through all the French islands; that mutual dissatisfaction must arise at the bargain answering so little for either side, and that these new conquests in the West Indies, however managed,

managed, would be to this country little better than money-traps. We might belong to them, but they would not belong to us one moment longer than the monopoly of our consumption made it decidedly for their interests, and this would even be true in the case of our own islands, which had motives of habits and relationship to attach them to us.

"Let us not then, said the Marquis, pursue the idea of this pitiful indemnity to our own ruin! The stagnation of our domestic industry, and of our national capital, for only one year, was worth more than the fee-simple of any of their islands in substantial benefit to the empire. The French looked upon us as the prime mover of the confederacy, as its soul and head; all their efforts were therefore clearly directed against us; they had turned themselves to their marine; and we all knew, without referring to the example of the Romans, from the experience of what they had done in that way in the time of Louis XIV. what great things they were capable to achieve. And this was the more worthy of remark, as it had been observed by the President Henault, that in the former civil wars of the French, their navy had constantly gone to ruin, which was owing to their having no need of maritime exertions.

"It was surely natural in this situation, before we go on farther to ask what distinct objects we had in view? As ministers would not tell us in either House, in a manner which we can understand, what these objects are, there is no place to look for them but in the several manifestoes. The express object of a manifesto is to convey a distinct intelligible idea to all classes of people; and in this war of opinion, this was particularly to be looked for. Let us examine the manifestoes, and without trusting to representations, let us hear the very words of them, and if there are any doubts about the context, it will soon be perceived that there is not one, which does not either contradict itself, or which is not immediately contradicted by a succeeding one, or which is not completely disregarded in the execution. All of them together convey no one distinct idea, excepting that of extending absolute power and encouraging unlimited monarchy; for no account is to be made of the pretended room left for subsequent modifications, by persons who propose previously to have every thing at their mercy. Let us begin with passages from the Duke of Brunswick's manifesto.

"The Duke of Brunswick's 1st Manifesto (July 25th, 1792,) in the name of the two Sovereigns;

"After complaining of the injury to the German Princes, and of the state of the interior of France, and of the violence to the King and his august family; and stating the double

con-

connexion of the King of Prussia with the Emperor, as ally and co-estate;

"DECLARES, 'that the two courts have no object in view but the welfare of France, without any *pretence* to enrich themselves by making conquests.

"*That they do not mean to meddle in the internal government of France*: But that they are *not* at liberty to acknowledge any other *laws in France*, except such as shall be derived from the King; and that they will put a stop not only to the attacks on the throne, but on the altar.

"It menaces the national guards, the administrative bodies, and the inhabitants at large respectively, with death, if they resist or fail to obey the orders prescribed for them.

"It orders the city of Paris to submit instantly to the King, to set him at liberty, and to insure to him and to all royal persons, that inviolability and respect, due by the laws of nature and of nations to Sovereigns—making the members of the National Assembly and of the administrative bodies and the national guard of Paris, responsible for *all events*; on pain of losing their heads, by *military* trial, without hopes of pardon; declaring that in case of the least violence or farther confinement of the King, Queen, or Royal Family, the most exemplary and memorable avenging punishments shall be inflicted, by giving up Paris to military execution, and exposing it to total destruction, and by duly punishing the parties concerned.

"It PROMISES on the part of the two Courts their good offices to obtain *pardon* from the King to those obeying the above injunctions, and their intention to insure to his Majesty that safety, which is necessary for his making without danger, and without obstacles, such convocations as he shall judge proper, for endeavouring to insure the welfare of his subjects, according to his promises and the utmost of his power: But it protests against any declarations made while the King and his family are in confinement; and therefore invites him to name a frontier town, to which a strong escort of the allied troops may convey him.

"The Duke of Brunswick's 2d Declaration (July 27th, 1792) enforces the same principles.

"That of September 28th, 1792, does the like, and adds, that 'The course of the French will either extend and perpetuate the war, by destroying along with royalty, their means of connexion with Europe; or else will open negotiations for the establishment of peace, order, and tranquillity.'

The Marquis observed, that it was impossible this should be the personal act of the Duke of Brunswick; it must be the work
of

of a Cabinet, not of the Duke of Brunswick he knew when in Germany, not of a great and generous Prince, who was the idol of the British army, looked up to by the men of letters throughout all Europe, and whose government of his own states was a model to all Germany. It never could come from him, but no doubt was authorized by *two* Sovereigns, and therefore doubly required investigation. The style was unprecedented, the violence revolting to human nature, and full of contradiction upon contradiction; for it says that those two powers will not meddle with the interior of France, and yet every word goes to that and nothing else. For by the comprehensive words, That every thing was to stand at the option of the King and his advisers, the whole of the internal of France was thrown at his feet by means of the interference of foreign powers. It is observable, however, that the third proclamation softens a little, though with a very bad grace, and throws out hints as to a negotiation.

"Six months after comes the Prince of Saxe Cobourg's Manifesto, directly the reverse in style and matter to the preceding, though declared to be consonant to the unanimous wish of all the sovereigns concerned, and particularly of those two sovereigns who had issued that of the Duke of Brunswick. But in four days afterwards comes a second proclamation from the same pen, which states that what was called the unanimous wish of the sovereigns concerned, was in fact only the personal wish of the Prince of Saxe Cobourg. The following are original expressions extracted from these two pieces by the Prince of Saxe Cobourg.

The Prince of *Saxe Cobourg's* first Declaration, April 5th, 1793, says—

"That *that* of General Dumourier contains the sentiments and principles of a virtuous man, desirous of putting an end to the *anarchy* and calamities that tear his country asunder, and of procuring it the happiness of a *constitution*, and of a wise and solid government." He adds, "I know that it is the *unanimous wish of all the sovereigns* whom the factions have armed against France, and *principally that of their Imperial and Prussian Majesties*." He then promises his readiness to co-operate with his troops to give to France *her constitutional King*, the constitution which she has formed for *herself*, and of course the means of rectifying it, if the nation shall find it imperfect: And gives his word of honour, that if the military operations should require that any strong places should be delivered over to his troops, he shall consider them no otherwise than as *sacred deposits*; and engages, in the most express and positive manner, to deliver them up, as soon as the government

vernment of France shall be established, or General Dumas shall demand it."

The Prince of Saxe Cobourg's 2d Declaration of April 9, 1793, professes that his former Declaration was a public testimony of his *personal sentiments* for restoring peace and tranquillity to Europe; and that he manifested in it *his own particular desire* that the French nation might have a solid and durable government; but now that the result was so opposite to the effects it ought to have produced, he revokes it entirely; so that there would only subsist of this former Declaration, the inviolable engagement, that the most exact discipline will be maintained by his army on the French territory.

Next comes General Wurmser's Proclamation, which proves the whole denial of conquest to be hollow and insincere, especially when coupled with the taking possession of Valenciennes, Condé, and Quesnoy, in the name of the Emperor, and not of the King of France.

Proclamation and Manifesto of General Wurmser, Nov. 14, 1793.

"The combined armies, by victories gained under the protection of the omnipotence of the Lord of Hosts, have at last succeeded in making a conquest of a part of Alsacia; and to deliver the same from the despotic oppression of French anarchy, I thought it absolutely necessary with respect to the above conquest, to publish this present Proclamation."

[N. B. The Proclamation orders, among other things, that all military men shall fire at any person seen with a cockade, or emblem of fraternity or revolution; that all assemblies or meetings, under any name or pretext whatever, shall be regarded as rebellious, and punished with death; that all offices and places shall be re-established as before the revolution, and those excluded who have taken part in the above infamous revolution; and that every body shall be obliged to contribute all in their power to the discovery of traitors, and those who refuse submission to the Proclamation, since it has nothing in view but the public good; and that informers shall be rewarded.]

The Proclamation then proceeds thus:

"I now address you, ye peaceable inhabitants of Alsacia.

** Cast your eyes towards the other people of Germany: Look how they rejoice at being able to renew the ties of ancient and happy relations, and being again enabled to call you their brethren. **** I know there is not one among you, who would refuse to himself the happiness of being a German."

So far regards the northern part of Europe.

Hear what Lord Hood says, as will appear from the following expressions selected from the correspondence at Toulon; and all that he said was confirmed by the declarations of Admiral Langara, on the part of Spain.

Lord Hood says, August 23, 1793, "A candid and explicit declaration must be made in favour of monarchy.

"Private property shall be protected; having no other view than that of restoring peace to a great nation on *just, liberal, and honourable* terms; and whenever peace takes place (which I hope and trust will be soon), the port, with all the ships in the harbour, and forts of Toulon, shall be restored to France; with the stores of every kind, agreeable to the schedule that may be delivered."

His declaration (the same day) to the inhabitants in the towns and provinces in the south of France says, "*Trust* your hopes to the *generosity of a loyal and free nation*: Be explicit, and I fly to your succour, in order to break the chain which surrounds you, and to be the instrument of making many years of happiness succeed."

The declaration by the Toulonese states, "It is our unanimous wish to reject a constitution which does not promote our happiness; and to adopt a monarchic government, such as it was originally by the *Constituent Assembly of 1789*; and in consequence, we proclaim Louis XVII. King, and swear to acknowledge him, and no longer to suffer the despotism of the tyrants who at this time govern France."

Lord Hood, August 28, affirms that the Toulonese had complied with his proposals, and therefore he adds thus: "I do hereby repeat what I have declared to the people of the south of France, that I take possession of Toulon, and hold it in trust only for Louis XVII. until peace shall be re-established in France, which I hope and trust will be soon."

Admiral Langara concurred at this time with Lord Hood; but still more explicitly. September 27, 1793, he states as follows:

"Europe has seen in the powers we represent, two generous and sympathizing nations, who come, *not to conquer*, as it is INFAMOUSLY SUPPOSED; but to destroy the poignards raised against the good and peaceable inhabitants of this unhappy city ****.

"The Toulonese have *not delivered up their city* (which cannot at one and the same time fall to the share of Spain, England, and the other united powers), but have placed it under our immediate protection; and have carried, even to the *most scrupulous preciseness*, the conditions which tend to the

re-establishment of their lawful Sovereign. **** Frenchmen, they conceal from you, that the *French* flag flies on your fortresses and your *shipping* at Toulon; that a *French* *squadron* is at anchor in your ports, among the fleets of the coalesced powers; that the administration is exercised according to the principles of the *Constituent Assembly*; that all authorities are subordinate to the new King, under the protection of the united powers; and that our only object is to avenge our allies, whose territory they have dared to invade, to succour you, and to put a stop to those multiplied aggressions which have conducted you, step by step, to the brink of the precipice."

In order of time, the Marquis said, a Declaration in the London Gazette of October 29th, occurred for criticism; but as it contained nothing from which a new idea could be extracted, he would go on to another Declaration from Great Britain, which was unfortunately but too intelligible, and contained new terms thrust into a treaty which had already been solemnly made and closed, and which, in a case of trust, intruded ideas of indemnity, and other objects, wholly foreign to its nature, and which formed the greater outrage, as the whole was indefinite in its terms. The unfortunate events which soon after followed upon its being issued at Toulon, looked like the just finger of Providence acting in vengeance for so notorious a breach of faith. The expressions will be found in the following extracts:

General O'Hara declares, November 20, 1793, in a speech (which, he says, he committed to writing, to avoid misunderstanding) as follows, speaking in the name of himself and the other Commissioners;

"His Majesty is desirous of giving an authentic proof not only of the satisfaction which he has experienced from the events at Toulon, but also of his *entire approbation of the engagements* which have been entered into in *his name*, and to give a positive assurance that he will *punctually fulfil those engagements*. His Majesty is sensible that the possession of this town, under all the circumstances in which it was accepted, lays him under *the most sacred obligations*. By our commission we are authorized to act, in his Majesty's name, in the direction of the affairs and civil interests of Toulon, as well as of all *other* places in France, which may be occupied by his Majesty's arms, or come into his possession, &c. &c."

The Declaration of the King, published on this occasion, which follows, says, that

"His Britannic Majesty having been informed of the circumstances under which the town, harbour, and forts of

Toulon, and the ships in the said harbour, have been ENTRUSTED to Vice-Admiral Hood, and of the declaration and proclamations then published, has thought fit, for the farther satisfaction of the said inhabitants and people, and for the FULL explanation of his royal intentions, to declare as follows :

“When monarchy shall be restored in France, and a treaty of peace concluded, stipulating in favour of his Majesty and his *allies*, the restitution of all conquests made by France during the war, and a just indemnification for the losses and expences thereby incurred, and a proper security for the future; his Majesty will cause the towns, forts, and harbour of Toulon, together with the ships and stores therein, to be restored, *according to the engagements* entered into by the said Vice-Admiral.

“His Majesty sincerely wishes the happiness of France; but by no means desires, on *this* account, to prescribe any particular form of government. The King claims the right of taking a part, only because the anarchy which now desolates that country, threatens the tranquillity of his own subjects, and that of the other powers of Europe, whose safety and peace materially depend on the re-establishment of order in France, and of a regular system, which may hold out to them a secure ground of negotiation and friendship: And his Majesty does not hesitate to declare, that the re-establishment of monarchy in the person of Louis XVII. and the lawful heirs of the Crown, appears to him the best mode of accomplishing these just and salutary views. Such a system, subject to such modifications as may hereafter be made therein, in a regular and legal manner, when tranquillity shall have been restored in France, would afford to his Majesty the best and most pleasing prospect of terminating the evils and miseries now endured by the French nation, and of the renewal of a regular and amicable intercourse between that country and other states.”

As so much is said of the old monarchy of France, it is natural to ask, what this monarchy was, and whether any body could ever define it? For his part, the Marquis said, he never could find any body. It was one thing at one place, and at one time, and another at another. He remembered once in a conversation with the late Lord Chatham on the government of France, the Earl told him, that when he was a young man, he had seen at Dijon an edict, or declaration, from the King, stuck up at the corner of a street, and when he turned about, on the opposite corner he saw a declaration from the Parliament forbidding any one to pay attention to it, which made Lord Chat-

Chat-

Chatham prophecy that "such a government could never last." In the south of France it was well known that the inhabitants had long been in possession of their own systems, and were much averse to the new proceedings, and the deputies from Toulon to the first Assembly were always found in opposition. In fact, the people of Provence were not particularly attached to the revolution, which had given them little freedom which they had not before enjoyed. They always had a third estate, to which the clergy and nobility were allowed to send a few deputies only. Hence the people of Toulon never had addressed the Constituent Assembly in favour of the first constitution. If we had therefore suffered the people of Provence to take the lead, and followed in their support, there is no saying where the thing would have stopped. The delicacy of the situation of the Convention may easily be learned from another anecdote on this subject, which is, that when the Convention republished Lord Hood's Declaration, they cautiously omitted that part, which spoke of the restoration of a constitutional King; they were content to copy it correctly in other respects.

We come now to the last Declaration in this quarter, which is that of the Court of Spain in the month of December last, for the sake of seeing how little these Sovereigns speak in concert. This Declaration says nothing of indemnity, or of erecting barriers for security, but has for its chief object the restoration of monarchy, declaring, that as soon as this shall have been done, after the ceasing of anarchy, the King of Spain, without any farther process or purification, will consider France as a power, which has recalled into her bosom the principles of religion, morals, and civil society; and this Monarch, when re-established, was to be of the House of Bourbon, for the purpose of reviving the family compact.

"The late Declaration by the *King of Spain*, Dec. 1793, after stating the causes, consequences, and circumstances of the war, proceeds as follows:

"The King thinks, that one means [of preparing peace] will be the re-union of all the sound part of the French nation, *after the manner effected at Toulon*, for the purpose of establishing henceforth a form of government under an hereditary Monarch; and *afterwards*, when the troubles shall have ceased, to adjust the modifications necessary to its more solid consistence.

"He is persuaded, that this is conformable to the way of thinking of his ally, his Britannic Majesty; and doubts not, that the other powers who have armed in the common cause against France, will contribute to the same end; by encouraging

raging and protecting the French, who shall shew themselves ready to profit by these beneficent dispositions.

"He, for his *own* part, most sincerely announces and promises, that, from the present moment, he shall be ready to hear *peaceably every idea whatever*, which may be reconciled with the dignity of his resolutions; desiring, as soon as possible, to see the moment, when, after the destruction of anarchy in France, there may be found in that kingdom a *body or class of persons*, whom he may consider as having sufficient authority and power to deliberate on a subject so important for France itself. It is *then* that his Majesty will regard her as a power, which has recalled into her bosom the principles of *religion, morals, and civil society*; which those, who are invested with the sovereign power, have contributed violently to banish. It is then that civilized nations may treat with her, and renew those relations of friendship and commerce, which have till now subsisted. It is then that Spain (the horrors of war being *entirely* removed) may make use towards France of all those demonstrations which belong to good neighbourhood, to a generous nation, and to a King of the *same family*."

Such were the manifestoes from which alone we could draw any definition of the object that we had in view. The real objects of the war therefore have never yet been clearly and uniformly defined, and still less the terms upon which we would agree to peace. The object of the present motion is therefore to beseech his Majesty, to make both these things known, which was equally necessary both for war and for peace. For the wiser supporters of the war will not pretend that force will do alone, but that it must be force joined to persuasion. No aristocrat capable of reflection who does not acknowledge this. Amongst others, Monsieur Mallet du Pan may be cited in the following passages, extracted from the pamphlet lately published by him.

"We must leave, then, to gasconading politicians, the idea, that the kingdom can be subdued by force alone. The submission which is possible, which ought most earnestly to be prayed for; the submission, which by destroying the very foundations of a ferocious anarchy, would prevent new revolutions, will never result from other means, than *force and persuasion united*."

"But, the *ignorance* of its final object, is the greatest obstacle to the dominion of force, as intended to influence opinion. The designs, then, of the Allied Powers being quite mysterious (I say it now a second time), their enemies find in their silence an inexhaustible source of resistance. It serves them as the means of nourishing prejudices, of continuing popular delusion,

lusion, to found the public wildness upon a principle, and successfully to balance the terror of the Allied Armies, with the dread of the consequences which would flow from their progress in the kingdom.

"To this first obstacle to conversions, is added another, and not less effectual; and which grows from the same cause. It is an opinion universally entertained in the kingdom, and too many violent discourses have strengthened it, that the powers have leagued together for the establishment of *despotism*; that, after having effected an unqualified counter-revolution by force of arms, they will maintain it by the gallows, and that they will plunge again into slavery, a nation already most severely punished by their mistake, as to the nature of true liberty.

"How shall the people, the troops, the whole nation get the better of these prejudices, as long as they shall remain between false friends, who perpetuate their credulity, and enemies who will not condescend to undeceive them? And yet we are filled with indignation by the duration of the public misconduct! and we are quite at a loss how to account for a resistance, the food for which we ourselves abundantly furnish."

Such was the opinion of this writer; and, without suggesting terms to the executive power, the Marquis said, it was his opinion, that this country should hold forth a most liberal and generous conduct to France: The same sort of generosity which France shewed to England during the civil wars of Henry III. and which Hume so finely described, ought to be an example to us in the present moment. Hume, speaking of Louis IX. during the dreadful civil wars that ravaged England under Henry III. speaks of him as follows:

"Whenever this Prince interposed in English affairs, it was always with an intention of composing the difference between the king and his nobility: He recommended to both parties every peaceable and reconciling measure; and he used his authority with the Earl of Leicester, his native subject, to bend him to a compliance with Henry. He made a treaty with England at a time when the distractions of that kingdom were at the greatest height, and when the King's authority was totally annihilated; and the terms which he granted might, even in a more prosperous state of their affairs, be deemed reasonable and advantageous by the English. He yielded up some territories which had been conquered from Poictou and Guienne; he ensured the peaceable possession of the latter province to Henry; he agreed to pay that Prince a large sum of money; and he only required that the King should,

should, in return, make a final cession to France of Normandy, and the other provinces, which he could never entertain any hopes of recovering by force of arms. This cession was ratified by Henry, by his two sons and two daughters, and by the King of the Romans, and his three sons. Leicester alone, either moved by a vain arrogance, or desirous to ingratiate himself with the English populace, protested against the deed, and insisted on the right, however distant, which might accrue to his consort. Louis saw, in this obstinacy, the unbounded ambition of the man; and as the Barons insisted that the money due by treaty should be at their disposal, not at Henry's, he also saw, and probably with regret, the low condition to which this Monarch, who had more erred from weakness than from any bad intentions, was reduced by the turbulence of his own subjects.—

“ Prince Edward, whose enlarged thoughts, though in such early youth, had taught him the great prejudice, which his father had incurred, by his levity, inconstancy, and frequent breach of promise, refused for a long time to take advantage of this absolution; and declared that the provisions of Oxford, however unreasonable in themselves, and however abused by the Barons, ought still to be adhered to by those who had sworn to observe them. He himself had been constrained by violence to take that oath; yet was he determined to keep it. By this scrupulous fidelity, the Prince acquired the confidence of all parties, and was afterwards enabled to recover fully the royal authority, and to perform such great actions both during his own reign, and that of his father.”

I am confident (said the Marquis) that if we were to shew the same sentiment of kindness and generosity, if we were to manifest a desire of peace, they would do the same: They have always been against the war with England. I never knew a single instance, where the French were not ready to make peace. I am not the dupe of all the silly prettexts that have been held out for our plunging into the war. 'Tis not the violent speeches, nor the inflammatory harangues, that happen either in their Convention or in our Parliament, that give me any true notion of the general sentiments of either country. Violent speeches in one assembly will naturally produce violent speeches in another. If we call them anarchists and tyrants, they will adopt a similar language. When we talk of demolishing their anarchy, they will call ours tyranny; and by the miserable invectives bandied from the one side to the other, may the tempers of the people on both sides be irritated without cause, and without object. Let all this be avoided; it can produce no good. If we do not mean ex-termina-

termination, we ought to be generous. One of the ablest political writers (Machiavel) that ever lived, has a chapter to prove, that there is no medium between behaving nobly and extermination. You cannot exterminate in the present instance, and therefore behave nobly, nor let it be said, that you seek to draw a profit from the misfortunes of your neighbours. Let us not then cabal about an island. It is not the trash of an indemnity that we ought to pursue; it is to conciliate the minds of the people of France, and to restore peace to mankind. This is the way to make peace lasting between the two nations. So far, in the present instance, from a peace not being secure with France, it would be more secure than if made with any cabinet in Europe. Cabinets are never to be depended on. This we may remember from the example of Austria, who caballed from the moment of the peace of Aix la Chapelle for the recovery of Silesia till the war of 1755, and again during all the latter end of the reign of Frederick the Second. The Duke of Choisseul caballed to renew the war with us, from the peace of 1763 till he was dismissed, and so it will be with all courts, but with this difference, that cabinets may conduct their plans with secrecy till they are ripe for execution, whereas in popular governments every thing is public.

But who are we to treat with? it is constantly said. Treat with the French people; no matter for the name. If your intentions are disinterested, if they are noble and wise, there cannot be much to settle. Here lies our great security.

Ministers may make difficulties; they did the same in the American war. Every one remembers how they fought their battle inch by inch. When the people became disgusted with that war, there was no end to their shifts; first, they offered to carry it on in a smaller extent; next, that there should be no internal continental war, but only a naval war; then, that it should be a war of posts; then, that the war should continue only with the French in America; at last the Attorney General of the day declared, that there were laws, which were insurmountable objections and must be repealed, and desired a month for consideration; but the House of Commons cut the matter short, and resolved to have no offensive war. It seems that we are to have the same miserable course put in practice again. Our allies are talked of, who, if they mean honestly, and unless they do so, are not worth attention, have interests the same as ours, *viz.* that of peace. Other difficulties may and will be started, as long as ministers themselves are indisposed to peace, for ministers are the same in all times; but if this is proved to be the case, it is to be hoped that Parliament will do as they did in the case of America,

take the matter upon itself and cut the knot which ministers refuse to untie. By that short vote which forbid the continuance of offensive war with America a thousand cavils were palsied; ill-humour dropped, and America became reconciled. The same will happen with France. Examine, and in every instance you will find that it is you yourselves who have thrown the first stone. Do but put forth your hand towards them, and they will stretch theirs more than half way. Before such a disposition, temporary decrees of a contrary tendency would soon disappear, for there appears nothing in the French constitution to oppose it*. The very speech of Barrere, so much talked of, shews that the public wish is peace, war is the means and peace the end. The Marquis solemnly declared, that he was as much convinced, as he was of the fact that he had then the honour of speaking to their Lordships, that the French never desired war with England, and that there never was a moment up to that very instant, that peace was not to be had on terms perfectly consistent with the honour of Great Britain. The nature of things indeed shewed it, which was much more important than any individual information. The wish of the French nation must naturally be for present peace, and also against a renewal of the war. We see, what, indeed, history might have told us without this fatal experience, that God has made such a difference between offensive and defensive war, that the same creature acting in the different situations changes his nature. These very French, whom we have found so formidable when attacked, droop and sicken when they come in their turns to be the assailants. We have nothing to apprehend therefore from their external hostility: Whenever they have come across the Rhine, you see how feeble they have become. Nor does the sentiment of the nation countenance them in foreign attacks; no part of the war created

* The new constitution of France adopted by the National Convention, June 23, 1793, under the title of *The Correspondence of the French Republic with Foreign States*, says, Art. 118. 121. "The French people is the friend and natural ally of free nations. It does not interfere in the government of other nations: It does not suffer that other nations should interfere in its own. It gives an asylum to foreigners banished from their country for the cause of liberty: It refuses it to tyrants. It does not make peace with an enemy, which occupies its territory. (*Il ne fait point la paix avec un ennemi qui occupe son territoire.*)" This is understood by the advocates for a peace with France as not prohibiting the treating for a peace, but only the concluding of one, which leaves an enemy on French territory. They say, that America concluded a *provisional* treaty with England, whereby it settled its independence; and that the risque of opening a negotiation with things standing as they are, would lie with the French government, and not with those who are combating with them.

such

such murmurs at Paris as the siege of Mayence. The same principle has actuated the Austrians, who will always be more than men in defending Germany, and become women when they carry the war out of their own country.

But notwithstanding these general good dispositions which are the result of human nature, the moment is become of the utmost importance. We are on the eve of a new campaign, and the danger is nearer to us than in the case of America. It was given as a reason for the peace of 1748 that Maestricht was left the single town of the Low Countries. At present, matters do not depend on a single town, but on the fate of a single battle; one battle lost, and all our advantage ground is gone. Then it will be the turn of the French to talk of indemnity, security, and barrier, and God knows with much more justice. If they lose a battle, it is comparatively nothing, for it is not one, two, three, or four battles, that will seriously humble them, and nothing of this sort can have permanent operation.

The Marquis said, that he had no expectation that these reasonings would have any immediate effect; but he besought the House to take them into consideration, and to reflect well upon them, as they might produce good in time; he hoped and trusted therefore that their Lordships would give a deliberate attention to the object of this war. "I have endeavoured to compress them into the proposition which I hold in my hand, and to which, whatever weight it may have with you to-day, I am persuaded that you will by and by recur, as a measure not altogether undeserving of your serious regard. I therefore move your Lordships that an humble Address be presented to his Majesty,

"To represent to his Majesty, that the events of the last campaign have demonstrated the extreme improbability of conquering France, even under the singular circumstance of a general confederacy formed against her.

"That the duration of an extensive confederacy, necessarily slow and ill-combined in its operations, is not to be depended upon from day to day, and formed, as the present is, with powers, who, it is to be apprehended, from the exhausted state of their finances, wasted by profusion and war, can only fulfil their engagements to us by being subsidized, leaves the burden of expence and odium ultimately to fall upon Great Britain and Ireland.

"That were the war to be, in future, as successful as it has hitherto proved adverse, it ought not, in sound policy, to be continued; because no acquisitions of territory can be of real, and much less of adequate benefit, at the risque of prolonging the present, and laying the foundation of future wars.

" That a loss to the nation incalculable, and almost beyond imagination, must follow from the diminution of product and consumption; the stagnation and destruction of capital, and the general decay of trade, which have arisen in the place of that reduction of debt and taxes, which we were taught to expect, and which is so essential to our external independence, and to our internal tranquillity and happiness.

" That the dismemberment of France, if attainable, so far from securing the balance of power in Europe, must endanger, if not overturn it; as it cannot fail to augment the strength of the greater European powers, who, from their ambition, and the policy which they have lately adopted, of acting in concert, already threaten the extinction of the independent states of the second and third order, upon whose preservation the liberties of Europe essentially depend.

" That opinions and sentiments, once widely disseminated, cannot be controlled by arms; and, therefore, it behoves every government, which would guard against the progress of democratic principles, to avoid the evils which gave birth to them in France.

" That the acquiescence shewn by the French nation in its provisional government, when in the act of opposing a confederacy attempting to control its interior, though a strong proof that the present war is more likely to confirm than to destroy such a government, yet is no proof that the French nation will continue it, provided we suffer them to return to a state of external peace.

" That experience has demonstrated the futility of every attempt to interfere in the internal affairs of France, even if the injustice of it were problematical; and that we must deserve the deepest reproach which a nation can incur, if, to serve the mere occasional purposes of the confederacy, we encourage further revolts in that country, where we find we are unable to fulfil our promises of present support, or to save those who have put a confidence in us from ruin and extermination.

" Therefore to implore his Majesty to declare, without delay, his disposition to make peace upon such just, *disinterested**, and liberal terms, as are best calculated to render the peace between any two nations lasting; and to communicate such

* We have printed the word *disinterested* in Italics, because in this word seems to lie a great part of the spirit of the Marquis's motion and object, since it contradistinguishes his plan from that of administration, who go upon the principle of seeking *indemnity* for ourselves and our allies, and also future *security*, by means of some effectual barrier to be established against the French.

declara-

declaration to his allies, that an immediate end may be put to that daily effusion of human blood, which, if suffered to proceed, must alter the character of the nations of Europe, and, in the place of that improving spirit of humanity, which has hitherto distinguished modern times, substitute a degree of savage ferocity unexampled in the annals of mankind."

Earl Fitzwilliam rose the moment the Marquis sat down: He said, it did not appear to him that any thing had occurred of sufficient consequence to make him change the sentiments he had adopted at the commencement of the last year. He considered the war as a defensive war; and, consistent with the address presented to his Majesty from that House, in which their Lordships concurred in an opinion, that the war was necessary to be continued, their Lordships could not, in his judgment, agree with the present motion. It was evident, that the object of the French was, to give law to all Europe. Their aim was, to carry their principles into the heart of every other country: Principles which, if propagated without opposition, must be tremendous to every other part of the known world; and of the intention of the French to propagate them there could be no doubt, for that was confirmed by their acts. This was illustrated beyond a doubt by many facts, and manifested from the authority of Brissot, whose authority could not be questioned, as he was himself the author of all the measures pursued till May last, when the Girondist party fell a sacrifice to Danton, Robespierre, and the leaders of what was termed the Mountain. Brissot, let it be remembered, was the first adviser of the declaration of war by the late King of France against the Emperor. Brissot had since declared, that this war, on the part of the French, was not a war for conquest, in order to gain territory merely, or of ambition only; but a war of destruction to every lawful government. The Earl said, that although he regarded this war, on our part, a defensive war; yet it did not from thence follow, that we should not be very active in our measures: No; for active, said his Lordship, we certainly must and shall be in the prosecution of it, unless we forgot all our ancient prejudices, and gave way to a new system, big with every possible danger, and which threatened us and all the rest of Europe with destruction. The motion now before their Lordships appeared to him to be highly objectionable; the object of it seemed to be, to call on his Majesty to make a distinct specification of the mode in which the war was to be carried on; and to desire his Majesty, in direct violation of all the treaties by which he is engaged, to abandon
the

he common cause, without any consultation with any of the other powers. This appeared to him to be highly improper; for we should at all times pay a strict regard to the spirit of our treaties; and we were bound in honour by the present treaties. Did the Noble Marquis seriously mean, that we should break through our engagements with Holland, Spain, the Emperor, and other powers, and shamefully desert that cause we had pledged ourselves to support, in order that we might be enabled to give assistance to the French? to the French, who had barbarously murdered their Sovereign, and deluged whole provinces with the innocent blood of their people; who threatened to replunge Europe into a state of barbarism?—Wise he thought the treaties with those powers; others might perhaps be of a different opinion; but he believed there were but few in this country, who would think it advisable for his Majesty to abandon the spirit of them, without even so much as consulting any one of his allies: This would be a direct violation of the law of honour, as well as the law of nations; by this we should at once forfeit our faith, and abandon our own interest.

What such conduct as the French had pursued must have eventually led to, if not successfully resisted, might be collected from the atrocities that had marked the progress of their rulers. In this country, great art and industry had been used, to procure the adoption of their principles; but, by the vigilance and timely interference of the executive government, the efforts of the Jacobin emissaries of the Jacobin club in Paris, had been defeated. The system of the French had in effect only served to introduce tyranny and anarchy, the natural effects of usurpation and resistance to lawful governments.

The acts of aggression on the part of our enemies, his Lordship said, were numerous. Among them, was the decree of the 19th Nov. 1792, which openly avowed their intention of interfering with the internal government of every country, that did not recognise their absurd doctrine of “Liberty and Equality;” the wanton and unprovoked aggression on the territories of our faithful allies the Dutch, the invasion of Brabant, the reduction of Savoy, and their interference with the navigation of the Scheldt. He said he believed that the people of this country at large at first considered, and did now consider, this war, on our part, as he had described it, purely a defensive war. The motion made by the Noble Marquis appeared to him to be highly improper; because, if their Lordships regarded their families, their posterity, and their

their country, they must concur in a strenuous opposition to that destructive anarchy which had over-run France. He contended, that the war must of necessity be continued, until some fair grounds of security from the ambitious encroachments of the French should offer themselves. Their encroachments, his Lordship observed, were of the most dangerous tendency; they did not go to a simple invasion of our territory, but to a total subversion of our constitution. Unless we were prepared to sacrifice every thing that was dear to us, we had at present no hopes of peace; because, if their Lordships read the French newspapers, they would see, that we had lately been told by one man in the National Convention, that we might have peace if we pleased, but before we had it we must give up our constitution. What, after this, was to be said of the hopes we had of obtaining peace, under the present system of government in France? what were we to expect if we were to withdraw from the present league, or to become passive? The best way to answer that, would be found out by looking at the conduct of the French, when they invaded Savoy. They openly declared, they attacked the King of Sardinia, because he was too weak to defend himself; they would, therefore, grow more insolent, as we became humble; and our very wishes for peace would remove it the farther from us. It was an avowed principle in France, that the weakness of a power was a sufficient reason for attacking it: Ought we to propose terms of peace with France? Let it be recollected, that we must previously disband our army, or quit the territories of the republic; and then what security had we, that any honourable terms would be assented to on their part? Would the Noble Marquis recommend Great Britain to disarm, and leave the French armed, and in full force? He begged the Noble Marquis to answer fairly and candidly; and, *rebus sic stantibus*, to say, if he was in the situation of a minister, would he follow the advice of any Noble Lord, given on the grounds, and supported by such arguments as the Noble Marquis used? On the contrary, would he not spurn at it, as an act rising more out of a spirit of opposition, than from any reason that could justify the adoption of the measure? From these circumstances, and from the most serious consideration of the whole, he was clearly and decidedly of opinion, that, to accede to the motion before the House, would be to act as an accessary to most essential mischief to the constitution; it would be to sanction anarchy, murder, treason, and rebellion; it would be, in short, to aid in overturning our constitution, and pulling down that fabric, which for ages had been the admiration

admiration of surrounding empires. He should, therefore, give the motion his decided negative *.

The Duke of Grafton said, he entreated their Lordships' pardon for rising thus early: He declared he should have been satisfied to hear the opinion of others much at length upon this subject, and would have weighed it well, and then, as a man of honour, unbiassed by any side, should have given his own. This he wished to do on every important occasion: He should certainly have done so upon the present, if the Noble Marquis, who made this motion, had not done him the honour to communicate it to him; and he must declare, that if he had not weighed it in his mind, examined it in every point of view, and most deliberately considered it; if he had not been thoroughly satisfied with the construction and tendency of it; he should not, at this stage of the debate, say a single word upon the subject: But, under all the circumstances, he thought it his duty to leave his retirement in the country, to come to town, and to step forward and declare his sentiments, such as they were. His Grace said, he had been long absent from the House, enjoying opinions peculiar to himself, without intruding them on others, or interfering with those of his neighbours, his family, or his friends. God only knew, at one time, whether he should ever have been able to return to the performance of his duty within those walls. He said he was far from being so sanguine as to hope, that the few who in that House concurred with him in sentiment, and who perhaps might bear an infinitely small proportion with the general sweep of mankind who might be of a different opinion, could be at once able to effect any great and material advantage; but, nevertheless, he hoped that, from perseverance, and by constantly and unremittingly pointing out the obvious disadvantages and destructive consequences of the war, they might at length be able to effect their object, and procure for their country the blessings of peace. His Grace said, it might be thought that it would avail but little, to support a question against a great and decided superiority. He, however, was old enough himself to recollect, that a minority, small in point of number, reviled, treated with scorn and contempt, slandered by addresses to his Majesty from different parts of the kingdom, and branded with the most opprobrious epithets, did once, by perseverance and firmness, by their representations to the public of the true state of public affairs, at length

* Earl Fitzwilliam speaks in so low a tone of voice, that possibly, from want of hearing him distinctly, we may have misconceived his meaning; we certainly have not wilfully misrepresented him or his argument.

effect

effect the great and valuable object for which they long contended, convert their minority into a majority, and bring about a peace with America; after the fruitless and wild expenditure of an immensity of blood and treasure, that had continued till the resources of the kingdom were almost entirely exhausted. What then was to be dreaded on the present, any more than had been encountered and subdued on former occasions? Nothing. Was the motion likely to be attended with any indignity to the Crown? No; far different was the intention. Was the spirit of the motion against the interest of the citizens? His Grace said, he did not like the word *citizen*. But was there any thing in the motion against the interest of Britons, as he would rather call them, or against the interests of our fellow-subjects? Nothing; On the contrary, the motion was calculated to promote the real welfare and prosperity of the people of this country; and he believed, if right measures had been taken some time ago, with regard to continental affairs, that hundreds of thousands of the lives of our fellow-beings would have been saved; and he saw no reason why such steps should be proceeded in. He conceived the misfortunes in which the country was at present involved, to have had their foundation in a doctrine new to him, but which had been carried to extravagant lengths—the doctrine of implicit confidence in his Majesty's ministers. This, he contended, was a doctrine to which our constitution was a stranger, and which it was highly unconstitutional in any Member either in that or in the other House of Parliament, to adopt or to maintain. Such evils were the consequences of a series of ill-judged and most impolitic measures; and those who should advise a continuance of them, might possibly, on some future day, be called to answer, to their injured country, for those misfortunes in which they had involved her. There was some radical defect, his Grace said, in the constitution, either in its theory or its practice; some course of improvident and destructive policy had for some time existed in the government, or these misfortunes could not have happened: It was the duty of their Lordships to examine whence it sprung, and the means by which it might be remedied, and to encounter and resist its dangerous innovations; for great and dangerous corruption had already crept into the body politic, the progress of which, if not timely prevented, threatened to terminate in the final subversion of our enviable and excellent constitution.

There must, his Grace said, be some cause for this sudden change, and the adoption of the destructive policy in question; he was inclined to think there might be two causes; each

would operate in its way. The causes he alluded to were, either the building itself, although not rotten at the heart, was in a state of dangerous decay; or ministers were corrupt and negligent in the discharge of their duty; and by inefficient, ill-judged, or unwise measures, had brought us to the condition we are in at present, from which, unless timely prevented, some serious calamity would befall us. Either of those causes was sufficient to bring us into our present situation, unless some remedy was taken to prevent it, and this might end in our total ruin. He was sure that a combination of these causes was enough to do so, and perhaps he might think that combination was now working to its end most rapidly.

Hitherto he had dealt a good deal in general terms upon this subject, but he was sure their Lordships would be able to apply what he said without any difficulty. They would remember, that about two years ago, the Right Hon. Gentleman who was at the head of his Majesty's Cabinet, had, in a speech delivered with that matchless eloquence which distinguished him, stated in triumph, the very thriving condition of the finances of this country, the growing produce of our revenue, and, above all, the probable prospect we had of continuing to ourselves the blessings of uninterrupted peace for the space of fifteen years. The Budget Speech to which he alluded was delivered in the other House of Parliament in February 1792: If the public prints were to be relied on, and they all agreed in the fact, the minister had actually calculated our finances upon that prospect, and on it he had built a plan for the liquidation of our enormous debt; but, notwithstanding these high-sounding promises, in the short space of twelve months, all those fair prospects had vanished, through the rashness and temerity of ministers, who have involved their country in a war, undefined both in its principle and its object, and which, from every account he could obtain, professed to be what political writers termed *bellum internecionis*; a war of extermination. At that very time the minister could not be deceived as to the affairs of France, for there was not at that time a single Emigrant here from France that was not a friend to the old government, and from whom he could not have received any flattering details of the good disposition of the then ruling party in France; and yet, with all this advantage from information that could not flatter him, so far from a prospect of the blessings of peace for fifteen years to come, in the short space of twelve months we found ourselves engaged in war, and the people burdened with twelve millions additional debt, which must swell most enormously every year that the war continued. What inference would every
man

man of a reflecting mind draw from this melancholy fact? Either that the minister was insincere at the time he held the language; or that the system, on our part, with reference to the politics of the Continent, had changed. The first was an uncharitable, the second a fair inference. He would take it then that we had changed our system, and that we were now to insist on a particular form of government. On this he must own he had no idea of success; nor did he see justice in our interfering at any time or upon any pretence in the internal government of France, or of any other country. Had it not been for our alliance with Austria and Prussia, 100,000 lives might have been spared. We had been frequently rivals to Austria and Prussia, and often enemies to France. Such were the internal resources of this country, that it was not from our alliances with Austria and Prussia that we should look for protection and support. If we wanted an alliance, we might have formed one with France, who had shewn herself willing to associate with this country, and in that case we should have no reason to be terrified at the vengeance of Austria and Prussia. Had this been done in the first instance, all the blood and all the money that had been expended, might have been saved. There would have been no war, not a shot need to have been fired on the Continent, and a much better security to the permanent peace of Europe would have been effectually afforded, than could now be hoped for from any probable event of the present hostilities. How was it collected that the French would never unite with this country? To prove this, Noble Lords had had recourse to some of the invectives made use of by Barrere. It was not from invectives that we were to judge of the sense of a nation. As an unanswerable argument for the pressing necessity for a speedy termination of the war, his Grace urged the great expence already incurred on account of it, and stated by calculation the enormous amount to which an annual accumulation of debt would swell in a very few years.

The argument of the Noble Marquis near him, as well as the meaning of his motion, had been much misconceived by the Noble Earl who had just sat down. The Noble Marquis meant not to recommend a shameful violation of existing treaties, or a desertion of our allies. He had said, that if we shewed a disposition for peace, the effect would be the same sort of disposition in all the allied powers, because we had put ourselves at the head of the war, and were so considered by the French. With regard to the question, whether the Noble Marquis meant to recommend our opening a negotiation, and disarming, while the French remained armed; certainly the Noble Marquis meant no such thing. When the

French met us on the terms of treaty, and had approached to a close, or ratification, we should do as we did at the end of all wars; disarm by little and little, just as the enemy disarmed.

He had heard it asserted, that the French insisted on altering and overturning our constitution, before they would consent to be at peace with us; but he believed, that if there was wisdom in our councils, and proper terms were offered for peace with the French, our constitution would not be in danger. He had heard much said against the violence of the French, and the desperation of their cause, as manifested by their debates in the National Convention; and much reliance had been placed on the pamphlet of Brissot, to prove that the French are determined on the destruction of all other governments. He owned he did not agree in such a conclusion. We had, in our House of Parliament, said as hard and as harsh things of them, and their government, as they could say of us; who had been treated with more invective in both Houses of Parliament than the French? All this was nothing but hastiness, and would soon be set aside by opening any train of negotiation, which had been too long neglected. Indeed, such steps had been taken as had tended much to inflame the whole of the French people.

The most violent of these was the manifesto of the Duke of Brunswick, which his Grace censured in the severest and most marked terms; he thought it scarce possible that it could be the production of that venerable soldier, who formerly led the British troops with so much honour to himself and so much advantage to Great Britain, and was justly the object of their adoration; but such could not be the Duke's sentiments, although they might be the sentiments of those Powers by whom he was employed; a performance which he really believed had been the cause of much shedding of blood. It was but just that the public of this country should know whether our Cabinet knew any thing of that manifesto previous to its publication. If it was, he was sorry they did not protest against it. If they did not, it was far from respectful in the Court of Vienna to conceal it from us, at a moment when it must have been in their contemplation to draw us into the league; and while we remained silent on that subject, the French would consider the sentiments contained in this manifesto as the sentiments of the King of Great Britain. The same observation was applicable to all the other manifestoes and declarations of the Allied Powers. After discussing the subject much at large, the Duke assured their Lordships, that, in his anxiety and desire for peace, he consulted no private object; he was actuated by motives more noble and more honourable—affection for his Sovereign, an ardent love for his country, and a regard for his

own honour; were the great incentives by which he was urged to do every thing in his power to obtain a fair and honourable peace; for in his conscience he believed, that the continuance of the present war would endanger his Majesty's throne and government, and the safety and prosperity of the country; and holding this opinion, he conceived, that if he did not interfere, as far as his power or influence could extend, to bring to a termination a war so destructive in its end and operations, it would destroy his peace of mind, wound his conscience, and make him hold himself, in some degree, instrumental in the destruction of his country. Their Lordships, he could not expect, would be immediately influenced by what had fallen either from him or the Noble Marquis; but he implored them to reflect on it when on their pillow, and consider how far their country might be injured by the contest, and how little hope could be reasonably entertained of the smallest advantage resulting even from the most successful termination of the war.

The Earl of Caernarvon said, that he had listened to the Noble Mover, with all the attention he was master of; that he had flattered himself, from the much-approved talents of the Noble Marquis in peace-making, that he would have produced some practicable ground, on which to found the hope of a safe and honourable peace; but after a copious and voluminous detail of matter, which had very little forwarded the object of his motion, he had left the subject precisely where he found it; it had indeed in his hands considerably changed its outward form for the worse, but was substantially the same which had been moved by two Noble Earls, one on the opening of the Sessions, the other on a proposition to acknowledge the republic. The speech of the Noble Mover was very little calculated to promote peace, but very much to embroil us with our allies and neutral nations, particularly with one, formerly part of ourselves. That all the arguments produced are reducible to assertions that the war was impolitically entered into, with no defined object; that it might have been avoided by negotiation; and that in the course of an unsuccessful prosecution of it, unjustifiable objects had been professed, namely that of interfering in the internal arrangement of the French government, by forcing them to adopt a form they disapprove; that the impolicy, as well as ill success, argued for a speedy conclusion; that a peace was practicable, safe, and honourable: These assertions, frequently made, he has supported by no proof, and the only admissible position is that general and undisputed truth, that peace is a blessing devoutly to be wished. It is certainly so, whatever has been the cause or success

success of the war; but that it is practicable, safe, and honourable, the Noble Lord has not even attempted to prove. That the war had no defined object, and could have been avoided by negotiation, are charges not very consistent; and it might puzzle even the Noble Lord's talents in negotiation to treat on a subject he was incapable of defining. The object of the war was however clearly ascertained; it was to be found in the spirit and motives of the demagogues of France for commencing it; motives distinctly stated and avowed in all their decrees from the 16th and 19th of November 1792, down to Barrere's Report to the Convention of last month, received with acclamation, and which holds out to Great Britain the price of peace, namely, the surrender of its constitution. They began by repeated declarations that the right of insurrection was the most sacred of the rights of man; and in the decree of the 19th of November they offer, in all languages, assistance to all people desirous to exercise that sacred right in order to recover their liberties. This avowed intention was sufficient to give the most serious alarms to every regular government in Europe. But they did not confine themselves to general doctrines, and general intentions; for by the decree of the Executive Council of the 16th of November, they put their system in practice against an ally of Great Britain, and in a manner that unequivocally proved the blow to be intended at the existence of Great Britain, and that the ultimate object was to make the rights of man (a phrase for anarchy) triumph on the ruins of her long-boasted and long-envied constitution. The decree of the 16th states "*the privileges of Holland on the Scheldt to be contrary to the law of nature, which the French have sworn to maintain*"; that the destruction of that right (which Mons. Chauvelin, in his letter of the 27th of December to Lord Grenville, says is of no importance in itself) will convince all nations that the extinction of all the tyrannies of Europe, and the triumph of the rights of man, is the sole ambition of the French Nation." And they do not leave us in any possible doubt what those tyrannies are; for Mons. Monge the Marine Minister's letter to the ports of France, 31st December 1792, says that the two tyrannical powers of Spain and England will quickly be destroyed; and for that purpose, with respect to England, a descent will be soon made in that island, and 50,000 caps of liberty lodged there. These are unequivocal proofs of a defined intention. The object of the war therefore on our part is, resistance to this avowed purpose, and security for the rights, liberties, and constitution of Great Britain and her allies. That it could not be avoided by negotiation, is proved beyond a doubt by Mons. Chauvelin's

answer

answ
righ
voca
itself
decr
its fa
moti
not l
fiabl
a for
tion
the p
pears
mises
defen
involv
stand
war,
meas
act o
any p
cautio
confer
and th
the fl
confer
" if a
made a
will a
And in
posai
leading
am ent
to spar
establis
tain pe
proceed
them to
in order
inferenc
acknow
XVII.
the mon
place ce
and at th
hostile

answer to Lord Grenville's complaint of the violation of the rights of Holland, "that the business of the Scheldt was *irrevocably decided by nature and justice*, and of little importance in itself"—an answer in the precise tone and language of the decree of the 16th, and which proves both a negotiation and its failure. But the two Noble Lords who have supported this motion say that having successfully defended our ally, we did not lay by our arms, but pursued a war of the most unjustifiable offence, in order to force the people of France to accept a form of government which they disapproved; and this assertion is supported by a reference to Lord Hood's conduct, and the proclamation on the cession of Toulon. The contrary appears to be the fair and candid deduction from the same premises, though it is by no means to be admitted that a war of defence, begun as such, does not necessarily and prudently involve a war of offence, and that the erection of a royal standard as a means of putting a more speedy conclusion to the war, and obtaining greater security for peace, may not be a wise measure. But in point of fact, Lord Hood has not by any act of his pledged the arms of Great Britain to establish any particular form of government in France, but seems cautiously to have avoided it. The case stands thus: A conference took place between Commissioners from Toulon and the Admiral, respecting the cession of that port, and the fleet, in trust for Louis XVII. In consequence of this conference, Lord Hood, in a public declaration, says, that "if a candid and explicit declaration in favour of monarchy is made at Toulon, and the standard of royalty is erected," he will accept the place, &c. in trust for Louis XVII. until peace: And in a proclamation of the same date, he sums up his proposal in these words; "After mature reflection upon these leading objects, I come to offer you the force with which I am entrusted (not the whole force and purse of Great Britain), to spare the effusion of blood, to crush the factious, and re-establish a *regular* government in France, and thereby maintain peace and tranquillity in Europe." Nothing surely in this proceeding marks that the object of his armament was to force them to adopt any given constitution, but some regular form, in order to ensure security to Europe. The fair and candid inference from this conduct is, that Lord Hood knew and acknowledged that he had no authority to proclaim Louis XVII. in any place ceded to his Majesty's arms, nor to revive the monarchy in his person in such place. He knew that any place ceded to the King's forces must be held for the King, and at the same time he knew that he had no authority to take hostile possession of any place which he found under the allegiance

allegiance of Louis XVII. lawful successor to the last King of France, with whom Great Britain was not at war; and that he was not ordered to extinguish monarchy in France. Thus circumstanced, a previous proclamation of Louis XVII. by the inhabitants of Toulon, and the erection of the royal standard, could in his opinion alone justify him in accepting the place to hold in trust for Louis XVII. and to keep it, as far as the force with which he was entrusted enabled him to do, until peace. The inhabitants answer, that they, wishing the establishment of the constitution of 1789, had proclaimed Louis. Lord Hood accepts the port, &c. in trust for Louis, indifferent whether his authority is limited by the constitution of 1789 or any other; all that was necessary to regulate his conduct being ascertained. Sir Gilbert Elliot's proclamation, in still more measured terms, disclaims all right and intention of forcing any specific form of government on the people of France; but finding no regular government on which the nations of Europe could rely with security, he looked with more confidence on a form which had subsisted in that country, and appeared to revive from its ashes by the late voluntary act of the people of Toulon, Lyons, and La Vendée. "I do not mean to follow the Noble Lord through all his comments on the manifestoes and proclamations of our Allies. The superintendence of Parliament is confined to the servants of the King of Great Britain; and no such intentions appear as the Noble Lord imputes to them; but if a decided declaration in favour of monarchy could have given a probability of a more speedy peace, I should not have thought it objectionable. But the Noble Mover says that peace is practicable, safe, and honourable. If he had proved this position, I should most sincerely concur with him; but he has not even attempted it; He has, on the contrary, made a motion which cannot produce it; if adopted by the House, must embroil us with all our allies and neutral nations; and failing to produce peace, must cripple our operations, and encourage our enemies by professing our inability to defend ourselves. The Noble Earl who moved the acknowledgment of the French Republic endeavoured to shew that the new constitution, which he stated to be unequivocally received and sanctioned by all France, had renounced, in the most explicit terms, the right and intention of extending their dominion by conquest, or of interfering in the internal government of other countries. But little hopes of peace are to be derived from this embryo constitution of disjointed and undefined maxims, which they call a constitution. This government, strangled in its birth, to sanction which no primary assemblies had been convoked, nor has one free voice approved (indeed

(ind
unco
thir
to it
ble i
nal,
sion
clare
their
be su
their
the tr
howe
found
with
ment
gives
ment,
restrain
govern
version
its poli
witness
of an
the nat
they ad
code of
well as
features
reign po
There is
first bon
duties:
finally ex
any brea
despairin
doomed t
ever, wa
were incl
tion, wil
you it is
A democ
dices, mu
must not
the inclin
must depo
VOL. I

(indeed the guillotine has long suppressed the utterance of an uncontrolled opinion in that wretched country); but admit that this constitution had all the merit the Noble Lord attributes to it, yet it has met the fate of every thing honest and valuable in France: It has been tried by the Revolutionary Tribunal, deposed, and condemned to imprisonment and suspension during the war. This hopeful constitution is therefore declared unfit to exist in time of war. What security against their ambition is to be derived from a constitution which may be suspended whenever their ambition leads them to extend their dominions, or their love of anarchy urges them to disturb the tranquillity of their neighbours? The Noble Marquis, however, does not place his hopes of peace on such remote foundations: He calls upon us to treat with the Convention, with those possessing the power, as with a regular government on which the confidence of Europe may repose. He gives the name, substance, and character of a regular government, to that anarchy which defies all shape, all form, and all restraint. Before I can feel such confidence to be prudent, in a government which draws its precarious existence from the subversion of all old principles, I must know its moral qualities, its political opinions. As in the case of a youth produced as a witness, inquiry is made whether he understands the nature of an oath, so in this case I should inquire whether they knew the nature of a contract between nation and nation, whether they admit the same law of nations, and whether their new code of the rights of man does not overset the law of nations, as well as those of France? In the present anarchy, I can trace no features of a government that can give more confidence to foreign powers, than tranquillity and happiness to its own citizens. There is no humanity, no religion in France; there is not that first bond that cements all civil relation, all public and private duties: The Deity has been first degraded, then tolerated, then finally exiled from his altars. If his image remains unsullied in any breast, it is in that wretched and desponding portion, who, despairing of peace and happiness in the country they are doomed to live in, place their whole hopes in heaven. If, however, waving all these essentials to confidence and stability, you were inclined to erect the image of peace on so frail a foundation, will the despots of France (whose interest Brissot tells you it is to set fire to the four corners of Europe) permit you? A democratic power just raised from the ruins of old prejudices, must depend for its existence on war and tumult. They must not have time to think, and the guillotine must control the inclination to utter. The Convention, by signing peace, must depose itself, and proclaim its successor. The Jacobin

rulers of that Convention must quit confirmed power in hopes of precarious influence over a new Assembly; but if these virtuous men waved their own interest, have they renounced their doctrines, which make a perpetual war more desirable to us than peace? No; they persist in all their objects, and do not think of peace; they bid you negotiate with their armies, and demand the surrender of your constitution and government as the price of peace.

The Marquis of Lansdown, conceiving that the Noble Earl had been a little mistaken in his construction of the Declaration of Lord Hood at Toulon, read a passage of it, offering the constitution of 1789 to the Toulonese, to prove that it fully warranted the comments he had made upon it.

Earl Darnley expressed himself to feel some compunction in so frequently intruding himself on their Lordships; the great importance of the questions which had lately called for the serious attention of their Lordships, would, he trusted, sufficiently apologize to the House for his intrusion. The Earl said, he was more fully convinced than ever of the propriety of persevering in the present just and necessary war; for as the war was really just, we ought not to be told of its misery; because, until security could be obtained for peace, it must be suffered. France had already asserted by Barrere, that she would not make peace with England till England had given up her constitution. One of these two things must therefore be taken as a preliminary step to negotiation; we must either part with our constitution, or the French with theirs. The Earl declared, that he did not entertain those gloomy apprehensions which some Noble Lords, who had spoken in the debate, had said they entertained: He had heard often that the country was injured by the continuation of hostilities; but when he looked around him, he saw that the same happiness was felt, and the same prosperity enjoyed, as in 1789. No Noble Lord present wished for a speedy and honourable peace more than he did; but before he for one should be willing to encourage any attempt to procure it, he must see reason to hope it would be permanent, at least such an expectation should be sanctioned by something more than mere conjecture. The Noble Marquis, who had opened the debate, whose opinion he was always disposed to treat with respect, and whose ability, as a statesman, he would readily acknowledge, had not thought proper to point out any one mode in which peace might be procured. He had not stated to the House with whom we were to treat, or with what government we were to negotiate. It would be difficult indeed, said the Earl, for the Noble Marquis to define that government;

and

and much more difficult, he trusted, would it be for him to induce their Lordships to listen to any idea of accommodation, circumstanced as matters were at the present : He would not attempt to describe the government of that country, the dreadful and horrid measures of which were not confined within its own limits, but threatened destructive ruin to all Europe. " You have heard and read (said his Lordship) their late decrees, and you cannot but have observed, from the spirit which they breathe, that the Convention will listen to no treaty, no overtures of peace, without the previous sacrifice of your constitution. Are your Lordships prepared to go that length ?" This, with him, and, he trusted, with every other Noble Lord, would ever be an unanswerable argument against opening a negotiation, much more against suing for peace just now. He had no desire to relinquish our own form of government, nor did he believe the French were disposed at present to abandon their system of anarchy. Feeling as he did, he could not content himself with giving a silent vote. It was a war of humanity, honour, and religion, as well as of justice, in opposition to those principles of glaring injustice and most savage cruelty, which the tyranny of France was attempting to carry into every quarter of the world. To the best of his abilities he would defend the war, and to his last moment he would give it his warm support. Before God and his country, he spoke the sentiments of his heart ; and so perfectly satisfied was he, in his own mind, of the urgency of pursuing the war, that, though the idea was novel, and such language seldom held in that House, he assured their Lordships, that he would prosecute it with his fortune and his life, should such support be ever deemed requisite.

The Earl of Guildford said, after the able manner in which the question had been treated by the Noble Marquis, and other Noble Lords, it was not necessary for him to call for much of the attention of their Lordships, or to enter at large into the subject ; nor should he have risen, were it not that he found it impossible to remain silent, after having heard the extraordinary manner in which the subject had been treated by the Noble Earl (Carnarvon) who had spoken last but one in the debate. If the Noble Marquis persisted in taking the sense of the House on his motion, he should undoubtedly vote for it, if it were only to shew that he did not think it liable to the construction the Noble Earl had put upon it. He deeply felt the value of the Noble Earl's friendship ; he knew the support the government of the country received by his espousing its cause ; he knew also the great confidence the country must place in any measures he might support ; but he could

not avoid saying, that in his humble judgment, the Noble Earl had put rather too hasty a construction on the motion of his Noble Friend. He had started a sort of argument for refusing to make peace with France, certainly of a nature somewhat novel. He had put the French government on the comparative footing with a youth brought to be examined at the bar; to whom it would be very natural to put a preliminary question, and ask, if he understood the nature of an oath? The Noble Earl had stated, that before he treated in any way with the Convention, he should in like manner think it necessary to ask, whether they understood the nature of a contract between two nations: If this doctrine were to prevail, his Lordship declared, he was at a loss to know when the proper time for negotiation would arrive; for, granting all that had been said about the perfidy of the Convention, were they to turn their attention to the ancient system of France, they would find invariably, that in all its transactions with this country, when a monarchy, there was as much perfidy, and as little dependence to be had on its treaties, as could be stated against this or any Convention or Government, from the time of Louis XIV. down to the present day. He could not suffer himself to be persuaded, but that a similar, if not a superior degree of confidence, might be placed in any treaty entered into with the Republic of France, as with any of its late Monarchs. With regard to what had been said on the subject of treaties, and the question that had been put, how Noble Lords could advise making a peace that would be inconsistent with the treaties they had entered into with their allies, he would ask what power was vested in the executive government to make treaties, by which the privileges of that House were to be entirely taken away and destroyed? He never could hear doctrines so new in themselves and so dangerous to the constitution, without expressing his marked disapprobation of them.

The next thing attempted to be argued, was the impossibility of treating at all with France, from the different decrees of the Convention at different periods and on various occasions. Much use had been made of these, as well as of Barrere's Report, which he owned did not appear to his mind at all pertinent to the question then before the House. One matter however he was glad to find admitted on every hand, and that was, the universal wish for peace that prevailed among all descriptions of people throughout the country, though some Noble Lords by their arguments seemed to despair of the possibility of obtaining it just at present. The general concurrence of opinions on the subject, ought however to induce ministers to lose no opportunity of procuring what they now know

know to be so universally wished for. With regard to the apparent difficulty of making peace, let the language lately held out in this country be recollected: From that language the Convention saw they had little reason to flatter themselves with the pleasing expectation of a speedy peace. We ought not therefore to condemn them for adopting what we ourselves had first pursued. Wild and extravagant, in his mind, would it be for us to continue the war till the French shall have established a permanent form of government. It would argue a still greater share of absurdity in thus inflicting punishment, and entailing calamities upon ourselves, for the sake of dragooning them into our opinion, and prescribing to them a form of government congenial to our mind, but odious and offensive to them.

There were, the Earl said, as their Lordships well knew, a variety of instances on record, where no sanction had been given by Great Britain to the means by which power had been acquired, and but seldom to the manner in which it had been exercised. Our own minister at the Courts of Russia and Prussia had, without remonstrance, suffered those potentates to plunder, to seize upon, and to enslave Poland. We had felt little reluctance in negotiating with the Emperors of Morocco, who not unfrequently ascended the throne by the murder of their nearest relations. Fighting, as ministers asserted we were, for our honour, for our liberty, for our religion, and for our very existence as a nation, it was necessary to look beyond an alternative; we ought to secure our future safety. The objects of the war being attained by the French having retracted the obnoxious decree of the 19th of November 1792, by their evacuating the territories of our allies, and finally by having disclaimed all intention of meddling in future with the internal government of foreign nations, what could stand in the way of an immediate negotiation for peace? Be but sincere in our offers, and the French, he had little doubt, would be glad to take the opportunity of putting an end to a war at once so bloody and so expensive, and so ruinous to all the parties concerned.

The despair of making peace, which some Noble Lords had said they felt, at least of making peace in the present circumstances of the war, seemed to arise from an idea, that as long as the French adhered to the spirit of their decrees, there could be no chance of treating with them with any effect, or to any purpose: It might be so, if this could possibly happen; but he could not but believe it to be highly improbable; nor ought we to state those declarations in a stronger point of view, than the declarations of other countries, and particularly the de-
clarations

clarations of this country, which he contended had frequently of late been so little adhered to, that, in many instances, we acted in direct contradiction both to the spirit and the letter of our own declarations. Unless Noble Lords, therefore, were blinded by prejudice, they must remember that declarations equally violent had been made on our parts, declarations as violent as the fixed and rankling animosity of statesmen could suggest. Such, therefore, in that country, as well as in this, the Earl said, he would always consider as the declarations of individuals, more than the acts of a Parliament, or a Government; and he never could have believed that they would have been stated as objections to treating for peace, when all concurred in opinion, that peace was so desirable and so necessary. Before he left this part of the subject, he begged leave to ask those who cried out so loudly against the decrees of the French Convention, to examine our own declarations at home, and the instructions given to our ministers abroad, and upon which they had acted. Having done this, the question would naturally result, as to what step was to be taken. It would be said, the difficulties at home and abroad, are confessedly great; how then are we to remove them? He in his turn would ask, What are these difficulties? He believed they were to be found mostly at home, and were without any solid foundation. Were we afraid, or ashamed, asked the Earl, to be the first to bring about, by our interference, that which is not only for the good of our own country, but for the general tranquillity and happiness of Europe? If we were thus afraid and ashamed to be the first to set the example of negotiating for peace, he hoped and trusted, we would soon come to our senses; and think differently. Much had been said about the danger which threatened our laws and religion; but he could not see the weight in that argument, which some people were disposed to allow it. At so momentous a crisis, we ought not to let prejudices of any sort, or exaggerations of the proceedings of others, so far get the better of our judgments, as to prevent our making every effort to restore the blessings of peace to our country, with as little delay as possible. Our abuse of the government of the French, and their abuse of ours, were precisely the same; but whilst we were satirizing and censuring their governors and their constitution, the Earl said, it behoved us to take care and not endanger our own; we ought to beware how we hazarded that religion we so dearly prized, by the conduct we were pursuing. Their Lordships should take warning in time, lest they might not one day see introduced into Great Britain those awful and dreadful scenes which every man must lament and deplore in that unfortunate country.

cour
quis
in th
not
of m
aban
dicta
justn
ready
allow
prouc
been,
advise
so de
emba
thoug
with,
cause
tion o
its ob
remov
if it c
on all
The
he had
motion
the arg
it for g
formati
nary ch
change
ledge;
nication
public r
their L
to be re
formati
had dese
and to t
attention
they den
from per
more as
talents, g
statesman
He was

country. He begged leave therefore to join with the Noble Marquis in entreating and conjuring their Lordships to use every means in their power to stop this horrible effusion of human blood; and not to suffer any prejudice, any antipathy, to stand in the way of mediation. Most of all he conjured them to give up and abandon the idle, the visionary, and impracticable scheme, of dictating a government to France, or interfering in the adjustment of their internal differences. Our exertions had already been full as great as our strength or our ability would allow; they had made a powerful effort to subdue this proud nation; and they had found that, expensive as it had been, and prodigal of blood, it had been unsuccessful. He advised their Lordships therefore to persevere no longer in so destructive a system of politics as that in which they had embarked. The Earl concluded with declaring, that he had thought it his duty to say what he had troubled their Lordships with, and that he should give his assent to the motion, not because it tended, as some Noble Lords had imagined, to a violation of our treaties with our allies, but because he considered its object to be to render the way to peace practicable, and to remove all difficulties that stood in the way of a measure, which if it could be obtained with honour and safety, was admitted on all hands and by all parties to be most desirable.

The Duke of Leeds said, he had never felt more anxious, than he had done on coming down to the House that day to hear the motion of which the Noble Marquis had given notice, and the argument with which he meant to support it. He had taken it for granted that the Noble Marquis had obtained some information of importance, some intelligence of an extraordinary change of affairs either abroad or at home, some great change in the French system which had not come to his knowledge; for having no longer the advantage of official communications, he was obliged to take his information chiefly from public rumour and the public newspapers, both of them, as their Lordships well knew, sources of intelligence not much to be relied on; but as nothing from them or from private information had reached him, he had felt the anxiety that he had described. The Duke said, he had listened to the motion, and to the arguments advanced to sustain it, with the utmost attention. Considering the quarter from which they came, they demanded from him every degree of respect; respect from personal considerations and long acquaintance, and still more as coming from one whose character as a man of great talents, great abilities, and great experience and wisdom as a statesman, stood high in the general estimation of mankind. He was sorry however to declare himself much disappointed,
and

and not a little surpris'd, at being obliged to confess that he had heard nothing new from the Noble Marquis, nothing that might not have been collected from the common reports of the day, nothing that afforded the pleasing hope of peace being more practicable, than it had appeared to their Lordships, when the subject had been last brought under their consideration. Perhaps therefore the most proper answer to the motion of the Noble Marquis would be, to move to have the address of the House to his Majesty on his most gracious speech from the throne on the first day of the Session read; and if a further answer were required, to move to have the decision of the House read, upon the motion of a Noble Earl to request his Majesty to give directions that the French Republic be recognized. With regard to the motion itself, far was it from his intention, the Duke said, to insinuate a doubt that it had not proceeded from the most proper motives, from motives founded in a sincere and anxious wish at a critical conjuncture to contribute to the essential service of the country, but he really could not help objecting to the time in which it had been made and the grounds on which it had been rested; the latter appeared to him to be impracticable, and the former improperly chosen.

His Grace declared that he did not mean to enter into any thing like a discussion of the origin, or description of the conduct and events of the war; the whole had been fully discussed on the first day of the Session, and on the Noble Earl's motion to which he had alluded; but he considered the motives of it to be purely defensive; and viewing it in that light, as well as from the sanction already given to it by Parliament, he saw no necessity why we should be particularly scrupulous to inquire into the precise objects of it. It was a measure dictated by dire necessity. He had always considered the French system as an infamous conspiracy against the constitution, the liberties, the laws, and the religion of every established government, and as such it afforded in his mind very sufficient and very strong ground for every friend to all that made civil society valuable to resist so pernicious a system. With regard to peace, he made no hesitation to declare, that nothing short of a complete disavowal and abandonment of that system, on their part, could ever induce us to treat with them; and even in that case, the Duke said, he was doubtful if we could do it with any sort of security. Holding and avowing these opinions, he thought that it would be mean and dastardly to recommend peace at this immediate juncture, considering the circumstances in which this country stood. The Noble Marquis, with his usual ability, had taken a large and wide survey

FEB.
fur
fere
that
abil
whic
happ
adm
on t
reco
wher
cuss
the
creta
Princ
himse
to pr
Cour
to be
this h
Empr
"I
power
The
Noble
from p
had sta
motive
mark h
entirel
repeate
confide
and its
should
comme
my kn
someth
that chi
sident m
in order
that per
of Mon
stance
under th
obnoxio
a manne
such as
VOL.

survey of the situations, connexions, and interests of the different powers of Europe. The Noble Marquis had treated that part of his argument with great knowledge, and great ability; but one thing had fallen from the Noble Marquis which afforded him no small share of satisfaction. He was happy to find that at length the Noble Marquis was willing to admit that Oczakow was of no small importance to Russia; on that subject he would say no more. His Grace said, he recollected when he had the honour of being in the cabinet, when the war about to take place with Russia was under discussion, he had been honoured with the favour of a hint from the Noble Marquis, respecting the manner in which, as Secretary of State, he ought to consider and to treat that great Princess the Empress of Russia. He had at the moment felt himself highly obliged by the suggestion, and had endeavoured to profit by it. He believed, if his correspondence with the Court of Petersburg were to be examined, it would be found to be carried on in proper diplomatic language; at least, of this he could assure the Noble Marquis, he had not called the Empress a *Colossus*. [Lord Lansdown said (in an under tone), "I meant a *Colossal Power*; I applied the epithet to the power, not the person of the Empress."]

The Duke congratulated the House on the appearance of a Noble Duke (Grafton) that night, after so long a retirement from public business, because he believed, as the Noble Duke had stated, that a conscientious sense of his duty was the only motive that could have brought him forward. But one remark had been made by his Grace, which he could not let pass entirely unnoticed: The Noble Duke much condemned the repeated misconduct of his Majesty's ministers for years past, considering their negligence as the ascribable cause of the war and its consequences. His Grace had said, that ministers should have early conciliated the affections of France in the commencement; "but, my Lords (declared the Duke), to my knowledge, at the revolution in the French government, something so serious happened to the good faith of alliance, that his Majesty's servants, through the medium of the resident minister at Paris, were obliged to remonstrate firmly, in order to check and prevent the most infamous conspiracy that perhaps ever was formed. We all know too the conduct of Monsieur Chauvelin. There, perhaps, never was an instance of a man, who was sent from one court to another under the character of an ambassador, who made himself so obnoxious by his conduct, or dared to behave in so improper a manner." The treatment of Monsieur Chauvelin had been such as he deserved. His intrigues, his insolent behaviour,

were insufferable. He continued this shameful behaviour, till Government assumed the dignified tone that his conduct so loudly called for, and ordered him immediately to quit the country. In fact, his Grace said, ministers had done every thing that, under the circumstances of the case, could have been expected of them, to avert the war, and preserve peace; and he did not say this because the ministers were his personal friends, but this testimony on the subject was due to administration, let who would have been the King's servants.

The Duke followed what he had said respecting Chauvelin, with some general but pointed observations on the conduct and decrees of the French Convention respecting this country. He reminded their Lordships of the variety of difficulties the different oracles of that assembly had artfully thrown in the way of negotiation for peace with Great Britain, and read them a short extract, or paragraph, from a French paper, which, his Grace said, had only come to his hand that day, but which emphatically declared, that before they would treat with enemies they must evacuate their territories. The Duke concluded with observing, that it was impossible to expect peace from those persons, the duration of whose power must depend on the continuance of that system of internal anarchy, and external warfare, from whence the war originated.

Lord Sydney said, he seldom troubled their Lordships, and had not meant to say a word that day, but it was impossible that he could sit silent after what he had heard respecting the infamous year 1711. The House, however, was so exceedingly warm, that it would be impossible for him to intrude long upon their patience. His Lordship objected to the motion, because it tended to declare our inability to carry on the war, to express our distrust of our allies, and to charge ourselves with injustice. These were the obvious ends and aim of the motion. The Noble Marquis had said, that the Duke of Marlborough had acknowledged the French frontier to be impregnable; but was it forgotten, that the Duke of Marlborough was besieging Bouchaine at the time he was so infamously recalled? Disgraceful as the measure of recalling our troops in 1711, from under the command of Prince Eugene, was, it was not half so disgraceful, as that now proposed. He owned he said this warmly, because it was impossible for him to forget those honest prejudices of education which he had imbibed in his youth, and talk with calmness on such a subject. Whatever apology might be made for the conduct of the French, because it was similar to that of

Louis

FEB
Lou
agai
and
long
just
the
had
derin
T
unfe
tome
ing t
ing a
their
citize
in the
cuting
all leg
abuse,
most
was m
jesty,
happy
solence
gentler
knocke
to leav
served.
was pr
a preca
in conj
mise to
engaged
it; he
justice a
Lordship
lative to
lating th
a matter
loose wa
charge, c
at all.
said, he
believe th
manity, a

Louis XIV. he would as eagerly and as firmly have acted against that Prince, had he adopted a similar course of cruelty and injustice. His Lordship said, he would not enter into a long detail of all their villanies or depredations: He would just mention their attack upon Savoy, upon Austria, upon the King of Sardinia, for no other reason, than because he had a few paltry redoubts that stood in the way of their plundering incursions into the adjacent countries.

The conduct of the French towards Geneva was unjust, unfeeling, and oppressive: For they had rendered it an epitome of Paris. It is true, they did not succeed in establishing their government, or, more properly speaking, in destroying all the government that existed there, but they sent into their state a banditti of ruffians, at the head of whom was citizen Rotondo. This infamous wretch, instructed no doubt in the bad purposes of his commission, and fully bent on executing them to their utmost extent, was constantly reviling all legal and royal authority; and, among other topics of abuse, had mentioned the name of our Sovereign with the most scandalous disrespect. One day, when at table, Rotondo was more than usually abusive, and in mentioning his Majesty, wished that the same fate might await him as the unhappy Monarch recently guillotined had suffered. This insolence was justly and spiritedly repressed by a young Irish gentleman, whose name was Hobson, and who instantly knocked him down. Upon this citizen Rotondo was obliged to leave the country, and he had since met the death he deserved. No man, his Lordship said, could doubt that peace was preferable to war; but ought we to prefer an unsafe and a precarious peace, when we had reasonable hopes to be able, in conjunction with our allies, to compel one that shall promise to be permanent and secure? In war we were already engaged, and the general sense of the people was in favour of it; he had no doubt, therefore, that the country, from the justice and necessity of the motives, would support it. His Lordship took notice of what the Noble Marquis had said relative to the suspicions that we had been instrumental in stimulating the Indians to make war against the Americans. Such a matter was too serious in itself to be merely hinted at in a loose way; it ought either to have been made a matter of charge, or direct accusation, or not to have been touched upon at all. With regard to the fact insinuated, his Lordship said, he had too good an opinion of his Majesty's ministers to believe them capable of conduct so devoid of prudence, humanity, and policy, and he had every reason to believe that

the charge had not the slightest foundation, either in fact or intention.

His Lordship added a few other general observations, and concluded with declaring, that he would not act so inconsistently with himself, as to vote in favour of the motion, after having so recently voted against a proposition of a similar tendency, and in support of the Address to his Majesty in answer to his Majesty's most gracious Speech from the Throne.

Lord Hay (Earl of Kinnoul) said, he would trouble the House but with very few words. He owned he had been somewhat surprised when notice of the motion was given, but he was much more surprised on finding that nothing new should be advanced. He had not heard one argument which could induce him to alter the opinion he had formed on the question which Parliament had decided on a former night, or afford him reason to change the sentiments that he had stated last year respecting the conduct of France, and what ought to be the conduct of this country. He was for prosecuting the war, as a measure altogether wise and unavoidable. His Lordship said, he approved of Lord Hood's Declaration at Toulon, and could not agree with the Noble Marquis, when he said, that this country might be of great service to the West India islands, but that they could never be of service to Great Britain. He entertained a very different opinion. In reply to what had been said of the pressure of taxes, and the melancholy effects that the war had already produced, his Lordship said, he saw no reason to despair. The Budget of the year 1794 was a pretty strong proof that our revenue, notwithstanding the war was so expensive, was in a very flourishing condition. On that ground therefore, as well as on various others, he thought a vigorous prosecution of the war the only measure sound policy could at present warrant, and for that reason he should give his vote against the motion.

The Earl of Lauderdale said, late as the hour was, he should feel it his duty to state his sentiments, but he would endeavour to compress them as much as possible. In the course of the debate, some Noble Lords had asserted, that the motion of his Noble Friend was of the same tendency with that brought forward by a Noble Earl (Stanhope) on a former night. He must beg leave to differ from this opinion, and to contend that the two motions were widely different. Any Noble Lord, who would give himself the trouble to reflect a moment, must discover the difference. A Noble Earl had asserted, that the speech of the Noble Marquis contained nothing

novel; for his part, he could discover both novelty and argument in it; the poverty of his imagination would therefore oblige him to take up some of the same arguments, although he despaired of being able to enforce them so strongly. He and his friends rose in that House under *comfortable circumstances*: They were calumniated in the public opinion as Jacobins, when their object avowedly was the support of the liberties of their country. He came forward in Parliament as an Englishman in defence of his rights; but he was unjustly upbraided with the epithet of a dangerous republican and a leveller. Let those who thought differently from him, however, asperse him as much as they pleased, the same aspersions could not be thrown out against a Noble Duke, who had that night come forward in so able, so manly, and so honourable a manner, after a long retirement from every sort of business, prompted solely by his conscientious opinion that the country was in danger from the system which ministers had for some time been pursuing, and from their misconduct; the manner of the noble Duke's having come forward was a great and solid consolation for the country. Since no improper motives could possibly be ascribed to the Noble Duke, party spirit had not brought him there; nor was he connected with any party; too old to appear before their Lordships actuated by the wish of grasping popularity, he could not be dazzled by the glare of fancied glory; nor by a desire of office, by a wish for power: He came forward, with a manly dignity, to give additional support to the cause of humanity, and, with the zealous interest of his country imprinted on his heart, he faithfully discharged the duty of a valuable citizen and a true patriot. Though the minority was small, he trusted the spirit that actuated them would not abate, and he had no doubt but that their numbers would increase as it did in the instance of the American war, and be crowned with the same success, since it was their duty to do their utmost to put an end to a contest carried on with an unexampled degree of antipathy, animosity, and ferocity. Every man who has read the history of mankind, will find it difficult to discover a people who have been persecuted with the same degree of antipathy and animosity; humanity shudders at the detail, and our feelings are inadequate to the painful task of reflection. It had been asked, what losses we had sustained? The answer to such a question was simple, without entering into a detail of many particulars. The war had involved the country in a complicated distress, there was scarcely an individual who had not sustained some injury. Every one who had property in the funds had already
lost

lost one-fourth part of it, amounting at least to fifty millions; and if those who possess landed property were to make a fair calculation, they would find their loss to be proportionate. There was besides an additional burden of taxes to an enormous amount every year, besides an increasing sinking fund, and an interruption put to that system of paying off the national debt, which, had we not engaged in this unhappy war, all the powers in Europe could not have effected. Our trade, and every branch of our commerce and markets, had suffered to a great extent. All this, and many other losses had we sustained. Look to the other side of the question, and see what had we got, or what we were likely to get by a continuance of the war? Would any honest, impartial man, look back to the last campaign, and say that there had been a single action, the remembrance of which was honourable, could afford a pleasurable feeling to an Englishman, or warm his breast with pride upon reflecting on the conduct of his country, or gratify posterity in the contemplation? In fact, said his Lordship, ministers mistook the interest of their country when they plunged into the war; they consulted neither its honour nor its advantage: Had they persevered in a dignified neutrality, the wealth of Europe would have flown into this island; we should have profited from the animosity of our neighbours; we should have gained a noble harvest, and we should have saved our honour.

With regard to the apprehensions and alarms about the constitution being in danger, he owned, he had no fears of that sort, being fully sensible that the blessings we enjoy under it are so strongly impressed on the minds of all men in this country, that it is equally safe whether in peace or war. Among other strange modes of argument resorted to at this time, one of the most favourite of them was, that our constitution was in the same danger from the French principles, that their former government had tolerated; but this could not seriously be listened to for a moment; every body knew that there was not the smallest similarity between the old government of France and the constitution of England, nor could any comparison be fairly drawn between the two countries. What had been the situation of the wretched inhabitants of France previous to the revolution? The purse-proud nobility oppressed the wretched peasantry, and loaded them with taxes the most severe; the clergy and nobility lived in luxury, whilst the miserable poor lingered out an existence: But if the Noble Earl would turn his eyes around him in this country, let him see the happy tenantry of Great Britain, and then he must be forced

Fr
fo
fo
th

ar
ou
ask
be
ou
He
pre
for
pos
tion
imp
wel
to b
M
gove
vern
them
of th
losses
they
Nobl
Nobl
in an
intro
be the
gard t
ances,
used a
Russia
article
was ov
that tr
His
spoken
indeed
lowed,
land.
the Fre
" Let t
not wh
pleasing
the King

forced to confess, that he could not discover the same ground for discontent; and to admit that whilst the people are happy, the constitution will be permanent.

His Lordship ridiculed the ideas of those Noble Lords who argued that we could not treat with France, without risking our happy constitution against their principles; and desired to ask them, whether they really believed and wished they should be able to effect that by bloodshed which they cannot do without? If they did, they were much and miserably mistaken. He recapitulated all the dangers and distresses that were apprehended as likely to be brought on by treating with France for a peace; and contended that no such consequences could possibly follow from the adoption of his Noble Friend's motion. He argued to refute all the objections made on the impracticability of treating; and contended that if these were well founded, it was impossible to say when peace was likely to be restored.

Ministers, his Lordship said, seem determined to trust no government; but when they advise perseverance till the government of France was altered, why do they not remind them of the losses of their merchants, and of the destruction of their commerce? His Noble Friends never mentioned the losses of the campaign; but ministers trumpeted forth, that they were fighting for their constitution, for their ALL. The Noble Marquis and he had property in the country. Did the Noble Lord, therefore, suppose that if property, or religion, were in any danger, the Noble Marquis would be the last man to introduce any motion; or even if he did, his Lordship would be the last man to support him in such a motion. With regard to the impracticability of treating on account of our alliances, the Earl said he was surprised such arguments were used at all; had we held that doctrine in our late dispute with Russia, we must have been at war; and if it was one of our articles of treaty not to make peace till the Republic of France was overturned, some of our allies could not go with us in that treaty.

His Noble Friend the Marquis, the Earl observed, had spoken so much at large of our allies, that he had left little indeed for him to say on that subject. He wished to be allowed, however, to make a few remarks with regard to Holland. Holland, it was well known, wished no alteration in the French government: She cared not to establish monarchy. "Let the barrier be secure (said this Republic), and we care not what's your government." But that was not language pleasing to the ear of the English minister. With regard to the King of Prussia, the sentiments of that Monarch were also well

well known; it was known also what induced him to persevere; and that little would prevent his continuing in the alliance. The conduct of Spain, for the last three months, shewed clearly that she could not; she had even had a minister in France since the Republic was declared. Whoever had carefully read the Spanish Memorial, must know the history of that monarchy well, and the degree of confidence that could safely be reposed in it. Whether that Court will or will not now object to a treaty with France, must be known to all such as he had alluded to. In brief, it was his opinion that all the weaker powers of Europe in the course of the war must be subsidized. What then was the object for which we continued this destructive contest? To give a government to France, tranquillity to Europe. By the declaration of Sir Gilbert Elliot, they were to persevere in hostilities until they placed Louis the XVIIIth on the throne, a pretty probable means of restoring peace and tranquillity! He desired their Lordships to read the decrees of the old despotism of France in the days of monarchy, and see if they did not there discover greater efforts to disturb Europe. Let them recollect the fatal American war, and remember how busy France was till she declared herself, and was in open rupture. Let them also recollect the intrigues of the old government, with respect to the affair of Amsterdam; and yet they were told that they could place no reliance but on a monarchical form of government, which is the government that had given us so many proofs of that intriguing disposition which was now so loudly condemned. He advised their Lordships no longer to be the dupes of their fears; America had received more substantial provocation from France than we had, yet she declined hostilities. They ought, therefore, to profit by American wisdom: General Washington would defend his constitution; he would not expend and exhaust the national money; he would not wanton away the lives of his fellow-citizens. General Washington had adopted a line of conduct which England should have pursued. Their Lordships would lament their folly when it would be too late for repentance. America already has taken away a great deal of neutral trade, and injured the commerce of England. His Lordship said, what had fallen from his Noble Friend who made the motion respecting America, deserved their Lordships most serious notice; it depended not on slight authority, but was founded on well-authenticated facts, with which ministers, supposing the facts to be true, ought not to be unacquainted. With regard to those who had maintained that treating with France for a separate peace would be a breach of national faith pledged to our

Lor
spee
tical
tion,
door
gene
not,
be de
chiev
that a
shoul
object
not ye
voting
Our e
the wa
it prud
home
people,
ipaired
war, ac
rily and
as long
pretend
The ad
the Aus
them ou
the rest
VOL.

our allies, and violation of the different treaties which the executive government had entered into with foreign powers, his Lordship begged leave to say, that no treaty ought to have been made by which this country was prevented from making a separate peace, when her interests required it. The privileges of Parliament would be annihilated, indeed; and we should be acting, not on British principles, but on principles truly Prussian and German, if ever we allowed ministers to make treaties which bound the Parliament and the people of this country not to have peace till the wild, romantic, and impracticable views of those who entered into such treaties were fully gratified. Lord Lauderdale concluded a long and impassioned speech, with some observations on the inconsistency of our conduct, in employing Lord Auckland to treat with Dumourier, as an agent of France, about the 23d of January 1793; the time when we had peremptorily refused to treat or negotiate at all with the French Government.

The Earl of Carlisle said, he did not rise to trespass on their Lordships' patience at that late hour of the night with a long speech; but he thought the agitation of such a motion in so critical a moment, and the arguments advanced against its adoption, might make a false and injurious impression without doors, and induce the Public to suppose that it was the general sentiment of that House of Parliament, that peace was not, in the opinion of their Lordships, a matter extremely to be desired. He rose, therefore, with a view to avert so mischievous a misconception from going abroad, and to state, that although, in common with most of their Lordships, he should give his vote against the motion, the true ground of his objecting to treat was, that the proper time for treating was not yet come. Let their Lordships consider what the effect of voting such a motion would be on the other side of the water. Our enemies would believe, that we were unable to prosecute the war, and rise in their demands whenever we should think it prudent and safe to open a negotiation for peace, and at home it would weaken the public cause, by disheartening the people, and giving them to imagine that their Lordships despaired of reaping any advantages from the prosecution of the war, adequate to the temporary injury our commerce necessarily and unavoidably sustained by it, and the expence the war, as long as it lasted, could not but occasion. It could not be pretended that the war had been unproductive of advantage. The advantage of driving the French back from Holland and the Austrian Netherlands was great; the advantage of driving them out of India was also great; but more important than all the rest was, in his opinion, the advantage of cutting off all

communication with France at the time when war was declared; a circumstance of the utmost importance to the internal tranquillity of this country, and which nothing but war could have so completely effected. The preventing the circulation of those pernicious principles which had already devastated France, and thereby keeping the mischief at a distance, enabled the good sense of this country to arouse itself, and by calmly viewing, learned to estimate, its pernicious consequences. That circumstance alone, if unaccompanied by any other favourable event, would, to his mind, be a full remuneration for the difficulties and burdens, which, however necessary, it had imposed upon us. On the other hand, if we had forborne to enter into the contest, we must have suffered the French to carry on, undisturbed, their system of aggrandizement and conquest, until we should in the end be reduced to the miserable necessity of throwing ourselves on their gratitude for our having permitted them to extend their conquests over the rest of Europe.

Lord Grenville declared, that at any hour, however late, he thought it his indispensable duty to avow his sentiments on so important a subject openly and unreservedly. His Lordship then went into a most comprehensive view of all the arguments urged by the Noble Marquis who had brought forward the question, and of those Noble Lords who had supported it, opposing argument to argument, and contending with great eloquence, great earnestness, and great ability, that the motion was ill-timed, inexpedient, and impracticable. He reasoned, however, with a degree of rapidity, that almost set report at defiance; we cannot pretend therefore to be able to do justice to his Lordship's speech, but have merely endeavoured to present the reader with those parts of it, which were to us the most impressive. Lord Grenville said, he thanked the Noble Marquis for bringing forward the motion, because whatever the real object of it might be, and whatever the real intention of the Noble Marquis in making it, he felt great pleasure in reflecting, that it would at least have one happy effect, namely, that of confirming and impressing more deeply on the minds of that House, on the minds of the whole Parliament, and on the minds of the People at large, the true, legitimate, and fundamental principles of the war; and of reminding them, by reiterated discussion of the same points, how much they had at stake in the event of it, and how necessary it was to prosecute it with their whole united strength. The more frequently the subject was discussed and debated, the better would it be understood, the more completely would the motives and the necessity of it be felt and admitted, and the higher would the spirit

spirit of the people rise in its support. Impressed with these ideas, he would enter into the primary causes of the war; and, to use the very emphatical words of His Majesty's Speech, entreat their Lordships to keep the origin of it in their minds. He believed, however, that there were but few who then heard him, that were not convinced that it was a war, on the success of which the existence of every thing that was dear to individuals, every thing that was estimable to society depended. "I repeat, and repeat it again (said his Lordship), if ever a war was justly undertaken by us, the present is that war. It is of a nature different from that of any other that ever was carried on. If French principles are to be ingrafted on the British constitution, it necessarily follows that French principles are to be the model of your example; and what French principles lead to, every Englishman in any degree informed of what happened and was daily passing in a neighbouring country, knew but too well. Our laws, our liberties, our religion, and our constitution, must fall, if French principles were adopted. Men of the first property, and most exalted rank, would be those whose rank and property would fall first, and whose property would go the soonest: The Noble Marquis and the Noble Duke, with the day-labourer and petty shop-keeper, would all be levelled in one mass." He was astonished to see two such men as the Noble Marquis and the Noble Duke, who had both held the highest situations in this country, the one a person of extensive landed possessions, the other deriving great advantage from family grants, come forward, and propose a negotiation, without advancing one argument, or stating any one ground, on which a peace could be brought about with security. Nor had they even stated what that information was, which gave them hopes of success, and encouraged them to expect, that, after the House had so lately carried up an Address to the Throne, thanking his Majesty for his most gracious Speech on the opening of the Session, and expressing their full concurrence in every sentiment it contained, and after they had since given their most decided negative to the proposition brought forward by his Noble Relation, with a view to the recognition of the French Republic, the House would suddenly change its opinion, depart from its consistency, and adopt a motion avowing principles, feelings, and opinions directly the reverse of what they in so marked a manner had in two recent instances avowed to be their principles, their feelings, and their opinions. Here, Lord Grenville said, he might rest the whole merits of the argument in issue, but that he was anxious to meet the fullest discussion on such a question as that before their Lordships. He would therefore shew, what perhaps it

better became those who brought forward the motion to have stated, *viz.* that something new had happened within the short period of three weeks, since the Address was carried up in reply to his Majesty's most gracious Speech. Circumstances had arisen which he could not read without seeing that their Lordships were more strongly bound than ever to adhere to the sentiments they had expressed in their Address to his Majesty, and that they were called upon to do so, by considerations beyond the ordinary motives of prudence, by regard to our very existence as an independent nation. The circumstances were not violent speeches delivered in clubs, but deliberate and public declarations of those who exercised whatever might be called by the name of government in France, and shewed that they had abated nothing of their atrocious designs against the principles of civilized society in general, and the welfare of this country in particular. If it could for a moment be imagined, which he would suppose, for the sake of argument, to be expedient or wise, who would be fit negotiators? Would either of the Noble Personages degrade themselves so much as to be the bearers of a proposition for peace? Or will the Noble Marquis, or the Noble Duke, venture to assert, that there exists a man in France who has the power to treat with them? This question has been asked again and again, and his Lordship said he had never yet heard of the man who could give him an answer to it. A Noble Lord had desired to know, and had challenged those who were advocates for the war to declare, whether they could, in any two words, express the objects they had in view? This challenge he was willing to accept—Nay, he would go farther, and in *one* word tell their Lordships the object—It was *Security*.

The war, in his Lordship's opinion, was purely defensive; we had no option but to defend ourselves; and our Allies stood upon the same ground with us precisely, for they had been menaced, and scarcely sooner menaced than attacked; and the same spirit of aggression had been manifested towards us, as far as circumstances would allow. A Noble Duke (Grafton) had hinted that at a time this war might have been avoided; and had alluded to the prospect of a long peace held out by ministers in 1792; and he also added, that he had for some years retired into private life. This was perhaps the only good reason that could be assigned why the Noble Duke appeared to be so ill informed of the topics to which he had alluded. Every thing that was possible had been done to avoid the present war; and so far from our having acted an unfriendly part towards France, the fact undeniably was, that our conduct had been of a very opposite tendency, as had been so handsomely stated

stated by the other Noble Duke, his Noble Friend. Out of regard to Louis the Sixteenth, the Emperor had shewn a similar forbearance; and, indeed, more than most Powers, so connected by relationship, would have done, with the hope that hostilities would be prevented. But as a party in the Convention, the most malignant in design, and the most desperate in execution, that ever disgraced or ruined any country, saw that if the King's ministers were able to preserve peace, they might be able to render respected, and in some degree establish the royal authority, by outrage and violence compelled him to change his ministers, and, in the words of Brissot, "provoked a war with Germany, for the purpose of overturning the monarchy of France."

In the course of the debate, the Noble Duke had adverted to the speech of a Right Hon. Friend of his (Mr. Pitt) delivered in the other House in the year 1792, in which he had congratulated the nation on the then probable prospect of a lasting and advantageous peace. Had his Right Honourable Friend gone even so far as to speak with that degree of certainty stated by the Noble Duke, allowance might, he expected, have been made for laudable zeal, and the frailty inseparable from human opinions and sentiments. That matter, however, was totally irrelevant to the subject in discussion: For would any man presume to compare the state of Europe in the year 1792, to its situation when the war began? There was at that time (1792) something like a Government in France. His Majesty's ministers at that time entertained a hope that all extremities between this country and France might have been avoided by such a compromise as would have afforded mutual security and satisfaction to both countries. Was it any impeachment of their wisdom that they did not foresee the events which ensued soon after the commencement of that year; events beyond all power of prediction; events of such a nature as almost to surpass imagination itself? The amiable Monarch, who afterwards fell a victim to a faction of regicides, was then in being, and had some little power, at least some little shew of power; and the scanty authority left him was made use of to compose the tumultuous and hostile dispositions of those who had usurped the government in that country, and to avert the menaced hostility of the surrounding nations. At his solicitation, the most friendly conduct was pursued by the Government of this country, as he had before stated; and strong hopes were entertained by those in his Majesty's councils, that this amicable disposition would have met with no interruption; but the party to whom he had alluded, had selected their object, which they were resolved at

at all hazards to pursue, in order to bring about their private ends, and establish a republican government.

It had been said, that the Government of Great Britain had acted wrong, in not having, in the first instance, joined France against Austria, and so secure the friendship of that nation. But would that have averted the calamities of war? or would their Lordships think that we ought to have joined our arms to those of a people who had tarnished the name of manhood with their enormities, and who, sooner or later, would draw down on their arms the judgment of an avenging Deity, by their unparalleled tyranny, injustice, bloodshed, and massacre?

Much had been said of the manner in which Mons. Chauvelin had been treated. M. Chauvelin, while in this country, and other emissaries acting under him, as his Noble Friend, the Noble Duke, had truly stated, left no means of seduction or corruption untried to effect the purposes, which those who sent him, wished to accomplish in every country. Was he, therefore, entitled to peculiar respect? So far from it, his Lordship said, the conduct of Government towards M. Chauvelin was too mild, at the time that it was known, from undoubted authority, that he and others of his countrymen were employing every art and intrigue to wean the affections of the people from their loyalty, and to embroil this nation in the same misfortunes that had rendered France one scene of devastation, blood, misery, and massacre. If he were asked for proofs, he referred to the notoriety of the fact, to the public impression at the time, and to his Majesty's Proclamation, issued in May.

Such, he might be permitted to ask, being the extent of the mischief then, had it been diminished since? He would say that it had not, nor ever would, unless the very source from which it sprung was dammed up and destroyed. If sedition reared its head here, and Jacobinical principles were struggling for effect, how could those, who were seditiously inclined, hope to carry their purposes into execution, but by uniting their efforts with the efforts of the factious banditti in France? How far attempts of that kind had been made, again and again, could not be out of the recollection of any man; it was therefore the less necessary for him to remind their Lordships, that the followers and imitators of the French in this country, had adopted the manners, the forms, the declarations, the appellations, and every the minutest circumstance of the conduct and style of those they professed to make their model; which alone, without any overt acts, afforded ample and convincing proof of the dangerous and pernicious spirit that actuated those to whom

he

F
h
th
pr
w
ha
w
lif
far
en
de
Du
pec
con
wh
I
gav
cluf
shew
in f
circ
quer
carry
try,
remi
dere
neutr
injur
of Eu
ble.
her fa
templ
other
end o
curity
he ha
now c
in such
they re
was to
cumsta
would
Parlian
Assemb
The
both in
new sca

he alluded. A Noble Duke had taken occasion to suggest, that there was some radical defect either in the theory or the practice of our constitution, which required correction. This was a most extraordinary remark, coming from the quarter it had done; because, if the fact were so, was it not matter of wonder that the Noble Duke, who in the course of his political life had been in a situation to render any correction, if necessary, irresistible, had not, when he first discovered the evil, endeavoured at least to apply an adequate remedy? Full of defects, as it might appear to be in the eyes of the Noble Duke, a clear and decided sentiment prevailed among the people to support the constitution, such as it was, from a consciousness of the real happiness and substantial advantages which they enjoyed under it.

Having gone into a full detail of the circumstances that gave rise to the war originally, and drawn the most conclusive and undeniable inferences from every event of it, to shew that, on the part of Great Britain, the war was defensive in spirit and in fact; his Lordship proceeded to state, that if no circumstances which he had referred to had taken place, subsequent acts of aggression, the various decrees of the Convention, carrying day after day reiterated insult and injury to this country, and followed up even to the present time with an unremitting spirit of rancour and indecency, would have rendered it impossible for us to remain at peace; had we by our neutrality—a neutrality, as disgraceful as it would have been injurious to our interests, and detrimental to the tranquillity of Europe—suffered the French to become still more formidable. His Lordship declared, that Great Britain alone, and her safety, were the first and most immediate objects in contemplation in the prosecution of the war, although there were other important objects necessarily connected with it: The end of the war hoped for by us, and our allies equally, was *security*; for security—not against any one of the various dangers he had stated, solely; but against them all united, were we now contending. Parliament would not, he was persuaded, in such a case, call on ministers to say, what degree of security they required, or in what specific matter or mode that security was to be obtained: It depended on a variety of casual circumstances, and fluctuating events; and to ask it of him, would be to make a demand never before made to ministers in Parliament, or, he believed, in any other wise deliberative Assembly.

The present was totally different from all former wars, both in its origin and conduct, and must be estimated by a new scale. The proposition which their Lordships were that

night called upon to decide, was clearly this, if truly stated: Shall all the excesses, all the violations of property, all the infringements of law, all the abuses of justice, all the insults to religion, and all the unwarrantable murders that have disgraced France, and sunk her to such a depth of ignominy, take place in this country, and disgrace us equally?

A Noble Earl, his Noble Relation, had on a former night denied that atheism was so prevalent among the French as had been imagined in this country. He would agree with his Noble Relation, that atheism had not become universal with the people there; but that it was adopted by the ruling powers, no one could doubt, for there were undeniable proofs of it. Let their Lordships advert to the proceedings of the National Convention, where they would find, among other extraordinary transactions, that the municipality of Paris came to the bar, and made a formal and solemn renunciation of Christianity, as a religion of murder and of error: Not only the whole Convention joined in execration of it, but the President emphatically congratulated them, that they had, at one blow, annihilated eighteen centuries of error and superstition; and, in fine, decreed that there should be no public worship of any kind, nor any God but the Tree of Liberty! Finding, however, that this was rather too much, even for France, they lately thought it prudent to open the places of public worship; but with a reservation still more wicked, insidious, cruel, and tyrannical, than the original decree itself, as they confirmed all that their commissioners had done respecting it, in the different departments, for its destruction.

Among other extraordinary assertions made by the Noble Marquis, his Lordship said, he was not a little surprised to hear him declare that the barrier of France was impregnable; and quote the authority of the Duke of Marlborough, in support of that assertion. Such an authority was surely the most unfortunate and injudicious that the Noble Lord could possibly have chosen; for the Duke of Marlborough was himself the very man who broke that barrier, and took Lisle, the strongest part of it: And, so far from considering himself secured by it, the Duke expected that his success in taking so strong a garrison would be, that France would have immediately collected the whole strength of her kingdom, to oppose the progress of our arms—a contemplation not fanciful and imaginary, but founded on just grounds; since such, in all human probability, would have been the consequence, if France had not succeeded in doing the very thing which the present motion, if carried, would effect; namely, divide the allies, and thus have weakened and destroyed the energy of the war.

His

Fr
No
had
we
he
of
clo
of t
Le
vict
and
elate
ries,
weal
on C
terra
was
called
the c
ing a
hono
an Br
for hi
and
head
credit
quenc
very c
the da
he she
strong
gratitu
for his
on an
but to
of the
Austria
cleared
terrane
arsenal
are shu
possession
hands o
tinent
maintain
paign o
Vol

His Lordship next adverted to what had fallen from the Noble Marquis, with regard to the last campaign, which he had censured, as unproductive of any advantage: But as facts were at all times able to overthrow and defeat mere assertion, he said he would lay before the House the comparative state of France at the beginning of the campaign, and at the close of it. In February, the French were in possession of the Austrian Netherlands, and of Valenciennes, Condé, Le Quesnoy, and a number of other towns. They had a victorious army in Champagne, a victorious army in Savoy, and had penetrated even to Holland, where, with an army elated with unexpected fortune, and flushed with rapid victories, they threatened to subjugate Holland, and make the wealth and fleets of that republic the instruments of descent on Great Britain; their fleet riding triumphant in the Mediterranean, and the seas covered with their armed ships. This was their state in the month of February. His Lordship then called upon the House to recollect how matters stood at the conclusion of the year? A Noble Earl had said, that looking at the events of the war, there was no one action which was honourable to us, which could excite the pleasurable feelings of an Englishman, or gratify posterity in the contemplation of it; for his part, Lord Grenville said, he looked upon the effectual and well-timed succour afforded Holland by our troops, headed by their gallant and illustrious commander, as highly creditable to the British character, and beneficial in its consequences to our allies, and the general cause. Holland, at the very commencement of the campaign, had been rescued from the danger in which she stood; and here justice required that he should declare, that he could not, in terms sufficiently strong, express his sense of the admiration, applause, and gratitude, due to a Noble Lord then present (Lord Auckland), for his wife, his spirited, his active, and his able conduct, on an occasion of infinite importance, not only to this country, but to all Europe. The French were driven by the gallantry of the British troops from Williamstadt, and finally out of Austrian Flanders; their commerce destroyed, and the seas cleared of their cruizers; their grand fleet in the Mediterranean destroyed; their navy crippled, and their principal arsenal rendered useless; while almost all the ports in Europe are shut against them. To all this were to be added the various possessions taken from them in the West Indies, now in the hands of the English, and their total expulsion from the continent of India. These were successes which, his Lordship maintained, were greater than had ever attended the first campaign of any war; and far more than a sober man could, at

the commencement of it, have rationally hoped for. Upon the whole, therefore, on a cool and candid consideration of the events of the campaign, instead of grounds for despondence, he felt himself fully warranted to assert a well-founded reliance upon the fortunate issue of our future exertions; and he believed there was but one general sentiment among the allied powers, which was, to prosecute the war.

With regard to the allies, he would only say, they entertained, in common with us, a full sense of the dangers to which all Europe was exposed; but their conduct towards neutral nations had furnished the Noble Marquis with another topic of crimination. The intention of Great Britain and the allies, in this point, his Lordship said, was, to prevent nations, under the colour and pretext of neutrality, from supplying the enemy with the materials for carrying on the war; and on this subject, the language held by the cabinet to neutral powers, had been uniformly spoken in a tone of moderation, good temper, and firmness. To such as were connected with us by treaty, our conduct had been more favourable than the strict letter of the treaties entitled us to maintain; and to other neutral powers, differently circumstanced, we had not gone to the extent that the maritime laws would have warranted. If, notwithstanding our remonstrances, any of the neutral powers still persisted in measures most seriously detrimental to the general interests of the common cause of Europe; the strong arm of force must be exerted, to coerce what liberal negotiation could not obtain. In respect, however, to what had been said of neutral nations, his Lordship declared, he wished a more impartial judge than the Noble Marquis, to decide on the conduct of Great Britain. If the ordinary means of carrying on the war were not sufficient on the present occasion, it was absolutely and indispensably necessary to have recourse to such as were extraordinary; since the effectual prosecution of the war, and its speedy termination, in a great measure depended on our preventing the enemy from receiving succours, as far as we possibly could.

His Lordship defended the Dutch from some insinuations, which had been thrown out in the course of the debate against their military character: He thought this had much better have been avoided, for they were calculated to do great mischief to Great Britain. Something of a similar nature had also been said of the King of Sardinia, who had been represented as continuing the war, for no other reason than to benefit himself by the subsidy granted to him; than which, nothing was more unfounded.

At

At length his Lordship came to treat upon the comparative state of the finances of Great Britain and France. Some Noble Lords had thought proper to assert, that our finances fell infinitely short of those of the French; an assertion which, he said, he could by no means admit. The finances of this country, he thanked God, were not such as to oblige ministers to make a *forced loan*, as had been done in France; where every man was obliged to pay a sum, not only in proportion to his income, but also to the whole amount of what he was worth, so as to leave himself no more than 200*l.* a year: In order to prevent any evasion or subterfuge, he was compelled to give in a schedule of his effects, under pain of death in case it was not minutely exact. How would Noble Lords then present approve of such an act of despotism, exercised against them? Our commerce was flourishing, our manufactures increasing, and our revenue prosperous. Compare this with the situation of France: In France there was neither capital, credit, foreign commerce, nor domestic traffic; no agriculture, because there was neither money, nor hands to till the ground: Almost all the men were forced to join the armies. In fact, so far from France having a free constitution, there existed in it the most positive tyranny that ever had existed in any country in the worst times. Discontent was universal; and the citizens were only kept in awe by their fears, created by a dread of the armed force placed over them. Nor was this peculiar to Paris only; it was the same in all the departments.

With a people so circumstanced, how were we to treat? Were we to confess that our proceedings hitherto had been unjust? Were we to libel the conduct of our allies, by singly offering submission to an arrogant and insulting enemy? It had been answered, that those in France, who had the power to make war, had also the power to make peace. This was not the fact: The ruling powers in France had no other influence, than an influence calculated for the purpose of despotism and destruction; if the nature of that influence was changed, their power was at an end. When this subject was debated in the Convention, they referred the parties proposing to treat, to their armies on the frontiers. We were in that case to treat with the French generals, the generals of a day!—men promoted without merit, and, whether fortunate or unfortunate, generally consigned to the same fate!—men, who passed in quick succession from the halbert to the truncheon, and from the truncheon to the guillotine! The only officers of extraordinary powers, such as La Fayette and Dumourier, had passed away. Murderers and assassins alone remained in power,

men who had provoked by their writings, or with their hands had perpetrated, murder. What Noble Lord present was willing so far to forget the dignity of his country, or what was due to his own dignity, as to be the messenger of a treaty with men of such a description, even if they had the disposition or the power to treat, which he must beg leave to deny; since it was notorious that the Convention had passed a decree, by which the penalty of death was to be enforced on any man, who should propose to treat with an enemy that occupied any part of the territory of the republic. There was an article of the constitution likewise to the same effect, which they declared to be sanctioned by the people of eighty-six departments; and in this enumeration, Savoy and the Austrian Netherlands were included, as departments of France.

If the proposition of the Noble Marquis were adopted, the effect of it would be, that we should stand still and disarm, while the French were in full force. Did the Noble Marquis for a moment reflect on the consequence of such a measure? did he recollect, that although we could easily and speedily disarm, the French, as an armed nation, could not? Obvious policy, therefore, required, that while the French remained an armed nation, we must continue to be the same. In the nature of things it was impossible; and would any Noble Lord, at all conversant with the policy of war, have supposed it possible, that such a measure, so pregnant with mischief, a measure that would immediately subject us to the mercy of the French, could have been recommended from such a quarter?

The United States of America, the Noble Marquis had hinted, were disposed to go to war with us: His Lordship said, that he had reason to entertain a very different opinion. He was persuaded, that if the United States departed from their neutrality, it would be to take part on the side of the allies. His Lordship said, he sincerely wished well to America; he was desirous that the utmost harmony should be cultivated, and should subsist between the two countries; and so feeling, he could not but be anxiously desirous, by every act of good-will and friendly intercourse, to eradicate that animosity which the unhappy contest with this country had unfortunately left upon the minds of some of the Americans.

With regard to what the Noble Lord had said, relative to our having stimulated the Indians to make war upon the Americans, he felt a mixture of astonishment and indignation. There did not exist the smallest foundation for a suspicion even upon the subject. If the dictates of humanity had not naturally led Great Britain to a different line of conduct; policy, and a regard

regard to her own interests, would have impelled it. The governors of Upper and Lower Canada, and the British officers, had felt properly on the subject; had interfered and negotiated, and used all their influence, as mediators between the Americans and the Indians, in order in the most effectual way to settle their differences, and to bring about a lasting peace between the two contending parties.

After a long, voluminous, and well-connected series of pointed animadversions on the leading arguments in support of the motion, most relied on by the Noble Marquis who brought it forward, and by those Noble Lords who declared they concurred in sentiment, and would vote for the question, Lord Grenville drew his able and animated speech to a conclusion; and observed, that it was not a little remarkable, that no one of the Noble Lords, who professed themselves to be so anxious and so eager for peace, had stated any specific proposal to obviate the difficulties that presented themselves as impediments to negotiation. He owned he was a little astonished that a great statesman, who had himself been a minister, should have come forward with so very indefinite a proposal; a proposal so impracticable in itself, and clogged with conditions so disgraceful (for so the French had declared the conditions of peace should be), that he had not the smallest hesitation to say he should give it his decided negative.

The Marquis of Lansdown rose to take advantage of the privilege which their Lordships usually allowed every Peer who brought forward any question to be discussed, *viz.* the privilege of being heard in reply to the observations that had fallen from other Noble Lords in the course of the debate. Their Lordships might rest assured, however, that he would make a very tender use of that privilege at so late an hour of the night, and when the House, as well as himself, were so much exhausted and fatigued. The Marquis proceeded to take notice of various matters that had fallen from the Noble Secretary of State, who had, he said, in many instances misconceived and misrepresented his argument, as well as that of the Noble Duke who had done him the honour to support his motion. He was in the judgment of their Lordships as to the fact. They had heard the arguments that he had taken the liberty of addressing to the House, and they had witnessed the very singular and extraordinary manner in which the Noble Secretary of State had chosen to notice and reply to them. The Noble Duke near him (Duke of Grafton) had distinguished himself highly in coming forward in so dignified a manner upon so serious and truly important an occasion. The public he was sure would feel extremely obliged to the Noble

Duke for the sentiments he had delivered; and he should have imagined that the known abilities, undoubted honour, and truly respectable character of the Noble Duke, would have entitled him to be treated, if not with due respect, at least with common decency. Let it be remembered, that the Noble Duke, actuated by the purest patriotism, forgetting all consideration of his health and his ease, had come to town from his retirement, in which he had, from personal indisposition, and from a variety of causes, so long lived, merely that the House might have the benefit of his opinion at the present critical juncture of affairs; an opinion at all times of great weight and importance, but particularly so at a time so perilous as the present. Let the moderation and disinterestedness of the Noble Duke, when at the head of public affairs, and in full possession of power, be also remembered as an useful lesson by the Noble Secretary of State. The Noble Duke had not used the influence which his situation gave him, to enrich himself, or to aggrandize his family, or any part of it. He had not accumulated places; he had seized upon no sinecure; he had neither accepted of titles, *grants*, or reversions; he had come out of office with perfectly pure hands. It was therefore unfair in the Noble Secretary of State, in speaking of the Noble Duke, to allude in so peculiar a manner to the *grants* made to the Noble Duke's ancestors, which had become established in his family, and had since become merited in his person, especially considering what had passed respecting other *grants*, somewhat more modern.

With regard to the arguments which the Noble Secretary of State had used, there was scarcely any one of them that was not so exactly the same sort of argument that had been urged by the ministers of the day in defence of the American war, that if he were to have judged by his ear only, he should have imagined they came from precisely the same persons. Upon that occasion, as at present, there was no prevailing on ministers to speak out, to say distinctly what was the object of the war, or how it was to be carried on. The ground of ministers then, as it had done in the instance of the war with the French, shifted from day to day. They at one time defended the war on one pretext, and at another time they stated another pretext; but they never could be prevailed on to hold either one language or one conduct on the subject. In fact, the whole war was a continued series of change of tone, change of measure, or change of object.

The Noble Secretary of State had denied that the public felt any additional burden or distress in consequence of the war; and contended that all was ease, and happiness, and comfort.

comfort. Let the Noble Secretary of State ask the manufacturing towns, let him consult those by whom the operation and effects of the war were felt most sensibly, from its immediately serious consequences, and he would judge by the answer whether there was distress or not. In the town of Birmingham only, 4000 persons had been added to the poor rates since the war began; and where he lived in the country, bankruptcies happened every day. The people were loaded with taxes already to an almost intolerable degree; and but little addition more would press them down. Let their Lordships recollect, that if the horse were too much burdened, let his load be packed ever so closely, with ever so much ingenuity or commodiousness, he could only sustain a given burden; and when too much addition was made, the horse must sink under it at last. If the Noble Secretary dreaded discontents and clamour among the people, the remedy was at hand. Introduce a system of strict public œconomy; put an end to all reversions and sinecures unjustly obtained, and lower the taxes; extend trial by jury to both ends of the kingdom alike. The present was an enlightened age, and since, much to the honour of the country, we had got the better of old prejudices, which Tillotson, and other very learned and eloquent men of former times, had taken pains by their writings to root and establish in the public mind, and had thought proper to relieve Roman Catholics from those irksome penalties and disqualifications with which they had so long been harassed and goaded, he saw no reason why the same liberality, and the same relief, should not be extended to Dissenters in general.

Much had been said about the violences, by means of which the French had obtained their resources. He should only remark, that if it were actually true, that they had reduced every man of property down to the enjoyment of only 200*l.* a-year, it proved that the extent of their resources was indeed immense, since all above that amount, on such a supposition, was pressed into the public service. But he hoped that ministers would not be suffered to carry on matters to a like extent here, by way of putting us on a par with such resources of the French, and that their Lordships would take good care that the ministers and their colleagues, in the pursuit of this war, should never reduce us to like extremities. The Noble Secretary of State, and other Noble Lords, had complained of what he had said relative to our having interfered in America, and been instrumental in setting on the Indians, and encouraging them to attack the inhabitants of the United States; and had declared that he ought to have brought forward some
direct

direct accusation on the subject. Let Noble Lords recollect the mode in which he had mentioned it; merely as a matter of suspicion. That being the case, he would appeal to their own candour and fairness, whether it were not much better to have had it stated in the manner that he had done, which gave Noble Lords an opportunity of directly contradicting the fact in question, than suffering it to remain as a matter of dark suspicion and vague rumour.

With regard to the charge, that, by bringing forward such a motion as that before their Lordships, he wished Great Britain to stand still and to disarm, according to the Noble Secretary of State's construction of his meaning, the construction was as absurd as it was extraordinary. It was not possible for the Noble Secretary of State seriously to entertain such an idea of what he meant to recommend. Most undoubtedly he meant no such thing. He had not any thing like it in his mind, and he should have been ashamed of himself if he could have come forward with a proposition so idle. The Noble Duke near him had amply explained what he meant in that respect. Certainly not for Great Britain to put herself in the power of France by disarming, while, as the Noble Secretary of State thought proper to phrase it, she remained *an armed nation*, but gradually to disarm, when negotiation had proceeded to such a point, as to beget a mutual confidence of sincerity on both sides; and then, and then only, to disarm, in proportion as the French disarmed.

The Marquis took notice that the cry of the minister was now changed from indemnity to security. There were various other parts of the speech of the Noble Secretary of State, which, either from direct misrepresentation, or false construction of what he and other Noble Lords had said, called for explanation and animadversion; but at that late hour of the night he would no longer trespass on their Lordships' time, but would sit down in the hope that, let the House dispose of his motion as it thought proper, Noble Lords would do him the justice to give him credit for honourable motives, and would think what he had taken the liberty of submitting to them worthy of their future serious consideration.

The Earl of Lauderdale rose merely to explain, because, from what had fallen from the Noble Secretary of State, he thought it necessary to give some explanation with regard to what he had said of the army in Flanders and its commanders. He did assure their Lordships, that he was far from meaning any reflections upon the Duke of York, or the troops under his command; he thought as highly of their zeal, their gallantry,
and

and their conduct, as any one Noble Lord present. After which the House divided :

Contents	12—	Proxies	1—	13
Not Contents	86—	Proxies	17—	103

Majority *against* the Motion 90

Adjourned.

HOUSE OF COMMONS.

MONDAY, *February 17.*

The Loan Bill was read a third time, passed, and sent to the Lords.

The Glove and Burial Duty Repeal Bills, and the Indemnity Bill, were reported, and ordered to be engrossed.

Lord Dalkeith, for Marlborough, *Mr. Manning*, for Plympton, and *Mr. Sarjeant*, for Queenborough, were introduced, and sworn.

The Militia Estimates were reported, and ordered to lie on the Table.

TRIAL OF MR. HASTINGS.

A Message was received from the Lords, acquainting the House, that their Lordships would proceed further in the Trial of Warren Hastings, Esq. on Monday the 24th.

WOOLCOMBERS.

The Lord Mayor of London presented a Petition from the Woolcombers of the Borough of Southwark, against the Introduction of an Engine for combing of Wool. Ordered to lie on the Table.—Adjourned.

[The following are the State Papers referred to by the Marquis of Lansdown in his Speech on his Motion for Peace. See p. 376.]

No. I.

TUSCAN STATE PAPERS.

Letter from Lord Hervey, the British Minister at Florence, to Signor Terrisflori, Minister and Secretary of State to his Royal Highness the Grand Duke.

" Florence, May 22.

" I HAVE this moment received letters from Madrid of the 7th instant, and from Genoa of the 19th. The former bring certain intelligence that, in consequence of the express orders of the court, the Spanish fleet has sailed; that it is directing its course towards Cagliari, to drive the French from the islands of Saint Pierre; and that it will afterwards proceed to the coasts of Italy.

" Those from Genoa assure me, that the captain of a Spanish packet-boat, who set out for Barcelona on the 13th, left there sixty ships of war of different sizes, among which were ten British ships of the line: They had sailed from Carthagenæ on the 5th.

" Knowing the desire which you always testified for so happy an event, I take the earliest opportunity of communicating it to you. I hope that circumstances will soon facilitate to the different courts of Italy, the means of shaking off the yoke of the democratical tyranny of the French. It has too long prevailed in these parts, by insulting sovereigns, irritating their subjects, and despising the laws. I hope to see the pride of that perfidious nation soon humbled, and that all governments will at length acknowledge that it is their true interest to resist, and not to receive these dangerous maxims which have convulsed all Europe, &c. &c.

(Signed) " HERVEY."

First Answer of M. Terrisflori.

" MY LORD,

May 22.

" I return you many thanks for your attention in communicating to me such happy intelligence. I this moment communicated it to his Royal Highness. I have the honour to be, &c.

(Signed) " TERRISFLORI."

Second Answer of M. Terrisflori.

" MY LORD,

May 22.

" Besides having had the honour of writing to you in my own name this morning, I am just now charged by his Royal Highness to return you his sincere thanks for the news respecting the arrival of a part of the forces of his Britannic Majesty in the Mediterranean, and the expected appearance of another part.

" The

"The sentiments of his Royal Highness towards that monarch, and those of all Tuscany for the English nation, have always been so publicly known, and so clearly expressed on every occasion, that his Royal Highness would judge it superfluous to mention them, did it not give a real pleasure, and did not the end of your letter engage the government to confirm again its wish to maintain a strict and unchangeable neutrality in regard to the powers at war—a neutrality which he has always preserved without sustaining the least hurt in respect to his own rights, or injuring those of others, and with every dignity and advantage to Tuscany, &c. &c.

(Signed) "TERRIFLORI."

Lord Hervey's Reply.

"I have received the letter which your Excellency did me the honour to write yesterday by particular request of his Royal Highness the Grand Duke, in answer to mine, in which I communicated the dispatches I received from Madrid and Genoa, respecting the British and Spanish fleets which arrived in the Mediterranean.

"The sentiments which his Royal Highness manifests towards the King my master, and the British nation, are already known; and I had the honour, on former occasions, to assure his Royal Highness of the acknowledgment and satisfaction of his Majesty.

"Since your Excellency has informed me of the intention of his Royal Highness, of still observing a strict and unalterable neutrality towards the Belligerent Powers, you will permit me to observe, that *this continuance of the neutrality will depend upon the manner in which the Allied Powers shall consider it, and on the opinion which they will entertain in point of the justice which his Royal Highness may have for such a conduct, or on the inconvenience which must arise to the said powers, from allowing the immense resources which are drawn from this state, for the purpose of supporting the common enemy, while so many subjects and treasures are sacrificed to subdue them.*

"I will wait the orders of my sovereign before I shall expatiate any further on this subject. As to the question which may be asked, how his Royal Highness can reconcile with his own dignity, and the interest of Tuscany, the supplies which have been granted, the protection, the good harmony, nay, even the partiality which has been shewn to a nation which rendered itself guilty of regicide, in the sacred person of his uncle Louis XVI. late king of France—a nation which is the avowed enemy of his brother the Emperor, of his uncle the King of Spain, and of almost every crowned head of Europe? This question I have neither orders, nor is it my duty to resolve.

"But I will not fail to communicate to your Excellency, as soon as I shall have received proper instructions, the sensation which your answer will excite in the British cabinet. To answer

the letter which I have yesterday received of your Excellency, is (if I am not mistaken) all that my duty bids me do.

" I have the honour to be, &c. &c.

" May 23.

HERVEY."

Copy of a Circular Letter sent by Lord Hervey, the British Minister, to the Foreign Ministers resident at Florence.

" As I am convinced that neither his Royal Highness the Grand Duke of Tuscany, nor the persons who fill the first charges of this government, nor the people of Tuscany, can inwardly justify the measures which have been taken with regard to the French nation, and which solely and entirely originate from the instigations and councils of a single person, whose ascendancy and power over the mind of his Royal Highness could not, from his tenderest infancy to the present moment, be eradicated: And as I deem it a duty incumbent upon the charge I occupy, to keep up not only a vigilant attention upon all the parts of such a conduct, but also to make known the just and unavoidable displeasure which the court of St. James's must have felt respecting it; and as I was eager, besides, to learn what effect the arrival of a British and Spanish fleet in the Mediterranean might operate upon this court, I gave some intimations in the letter which I wrote to the Secretary of State to announce this event to the Grand Duke, respecting the change which I wished to see in the conduct of several Italian courts.

" But this letter was productive of an answer which I did not expect, and in which I found explanations respecting the past conduct of this government, which cannot deceive me; and resolutions for the future, which in general appear to me as little compatible with the connexions of this Prince, as with the designs and interest of Europe. For these reasons, I have found it necessary to communicate to you my correspondence on this subject, which I have here enclosed, that you may transmit notice to your court of the evident proofs of conduct of this court, which is so entirely different from those which animate at present the principal powers of Europe; and I doubt not but it is deemed necessary to guide this conduct in a manner more suitable with the present circumstances, and the just views of the Allied Powers.

" I embrace this opportunity to assure you of the particular esteem with which I have the honour to call myself, &c. &c.

" Florence, May 23, 1793.

HERVEY."

Answer of the Russian Chargé d'Affairs to the Circulating Letter of Lord Hervey.

" Whatever may be the sentiments of his Royal Highness the Grand Duke, respecting the system of neutrality which he has adopted, it is beyond a doubt that his conduct is full of deference
for

for the self-styled Republic, and for its representatives, of which your Excellency *must have naturally received the most certain intelligence*, since you speak of it in *so positive a manner* in your answer to M. Terziflori. Nothing, therefore, remains for me, but to recall to your remembrance, in support of what you say, the powerful and decided protection of this government, which prevented me from inserting in the Tuscan papers the manifesto of my Sovereign against the monsters who at present, for the misfortune of the world, govern France. I know certainly, besides, that the French Constitution has been publicly sold at Florence. I hope for, and desire, as well as your Excellency, the speedy arrival of the combined fleets, in order that Italy may shake off the yoke of democratical tyranny. I have the honour to be, &c. &c.

(Signed) " &c."

No. II.

Memorial presented on the 8th of October 1793, to M. de Seriflori, Minister for Foreign Affairs at Florence, by Lord Hervey, the English Minister.

" All Europe is witness of the reiterated complaints made by the under-signed Envoy Extraordinary and Minister Plenipotentiary of his Britannic Majesty at the court of Tuscany, on the subject of the partiality which the latter government observes in favour of the French. The under-signed has done every thing in his power to open the eyes of his Royal Highness the Grand Duke upon his true interests, and the danger to which he exposes himself by having communication with a nation of regicides, which puts every art in practice to annihilate all kind of government; which despises all laws; which destroys all religion; which has at length dipped its guilty hands in the blood of the King—in the blood of the clergy, of the nobility, and of other subjects who remained faithful to their King; and which, seeking to extend its calamities to all other people, is warring against almost all the Sovereigns of Europe. Notwithstanding the generous, amicable, and plain intentions of his Britannic Majesty, which the under-signed communicated to the Government of Tuscany by his memorial of August 14th last, he has seen the evil counsels and dangerous maxims of certain persons prevail; and as the conduct which he complains of has been persevered in, it becomes necessary to take vigorous measures.

" The under-signed is obliged to declare, in order that his Royal Highness the Grand Duke may be informed of it, that Admiral Lord Hood has ordered an English Squadron, in conjunction with a detachment from the Spanish fleet, to set sail for Leghorn, there to act according to the part which his Royal Highness may take.

" The unjust and notorious partiality of Tuscany in favour of the French, and the vast seizure of the corn and effects belonging to the merchants of Toulon at Leghorn, at a time when the armies of their Britannic and Spanish Majesties had occasion for the same articles, evidently prove the injury which ensues from such a neutrality

trality for the operations of the Allies. In consequence, Admiral Lord Hood declares in the name of the King his master, that if, within the space of twelve hours after the representations of the under-signed, his Royal Highness the Grand Duke does not resolve to send away M. de la Flotte and his adherents from Tuscany, the squadron will act offensively against the port and city of Leghorn.

"The unhappy consequences of this proceeding can alone be imputed to those who have had the audacity to give perfidious advice, and to make false representations upon the present state of affairs; they alone will have to answer for all that may happen henceforward.

"The under-signed, who earnestly desires to avert such a calamity from Tuscany, and to spare his Royal Highness the Grand Duke all kind of inconvenience, again invites him to give without delay a clear explication of his intentions, relative to the demand made by Admiral Lord Hood, to order the departure of M. de la Flotte and his adherents, and to break off all communication with the National Convention, or the *soi-disant* government of France. In making a common cause with the Allies, his Royal Highness the Grand Duke may rely upon the friendship and protection of his Britannic Majesty and his Allies. The sole way to prevent offensive operations against the city and port of Leghorn, is to acquiesce in the demand now made, by giving the under-signed the Royal promise to conform to them punctually.

"It will depend then upon his Royal Highness to receive the said squadron as a friend, or to expose Tuscany to all the disasters which will happen, if it be compelled to act offensively. As its expedition at Genoa is concluded, it is on the point of arriving at Leghorn. For this reason the under-signed will hasten to prevent any offensive measures, by acquainting the commanding Admiral with the resolutions of his Royal Highness.

"The under-signed has thought it necessary to make this communication for the information of his Royal Highness the Grand Duke of Tuscany. At the same time he sincerely hopes that this affair will terminate amicably, and to the reciprocal satisfaction of the two courts.

(Signed) "HERVEY."

Answer.

"MY LORD,

"His Royal Highness has ordered me to reply to the memorial which you have presented this day, and to the explanatory note of the intentions of the King your Sovereign, that his Royal Highness has resolved to make the necessary dispositions that M. de la Flotte and his adherents may quit Tuscany as soon as possible. His Royal Highness flatters himself that his Majesty the King of Great Britain will consider this proceeding as a fresh testimony of the particular esteem and deference which his Royal Highness takes a pleasure in

shewing him on every occasion. Such are the orders that my Sovereign has given me.

(Signed) "SERRIFLORI."

"Oct. 8, Ten o'Clock at Night."

No. III.

GENOA.

On the 5th of October, the combined English and Spanish squadron entered the port of Genoa; and, on the same day, Mr. Drake summoned the Republic to declare against France. Some days were necessary to convoke the members of the government, in order to deliberate according to the forms prescribed by the constitution. As soon as this could be done, they signified to Mr. Drake, that, on a point of so much importance, they could not decide, till they had received answers to their representations to the allied courts. On the 19th of October they dispatched couriers to Madrid, Vienna, and London. Mr. Drake did not say formally, that he would not wait for answers from these courts; but mentioned in general terms, that three weeks were sufficient for taking the necessary measures of defence, and for sending all the French out of the territory of the Republic. Accordingly, on the 9th of November, he renewed his summons, and the government having sent him an answer to the same effect as the former, he returned it, and resolved upon quitting Genoa immediately; which he did the next day; leaving behind him a note, in which he stated—"that though it had been inferred from his preceding notes, that he meant to force the Republic to accede to the coalition, that such was not the intention of the King his master; but that in fact nothing more had been intended than requisite satisfaction for the insult offered by French mariners to an English vessel in the harbour of Genoa; which satisfaction could be granted *by no other means than by sending away the French Minister.*"

The Genoese government answered immediately in substance as follows:

"That it learnt with the greatest pleasure, that his Britannic Majesty did not mean to force a free and independent state to renounce a neutrality, which its interest required that it should observe; that as to what related to the satisfaction demanded of the Republic, there could be no pretext for it: As the vessel to which the insult had been offered carried the tri-coloured flag, the Republic could not know that England had any interest in it; that, on the other hand, a very great insult had been offered by the English causing armed frigates and fire-ships to enter the harbour of Genoa, contrary to all the rights of an independent state. As to the dismissal of the French minister, that requisition could not be complied with, as it would be positively declaring war against the French, who had an army on the frontiers of the Republic."

Mr. Drake went first to Toulon, and from thence to Leghorn.

[The

[The Genoese wish to remain neuter, because they are convinced that by becoming parties in the war they must be ruined.—They refused a passage to the French through their territory, when the French were most formidable; and in all their negotiations with the allied powers, they never once mentioned their property in the French funds, which not the uncertain events of war, but a decree of the Convention, may annihilate. So well assured were they of their right to be treated as friends, that on the 7th of November they allowed the Spaniards to ship a considerable quantity of corn at the port of Spezia.]

No. IV.

SWEDEN.

Stockholm, August 6.

Last week the Russian Chargé des Affaires delivered a note on the part of his Court to the Chancellor, of the following import:

“The Empress of Russia has thought proper to fit out a fleet of 25 sail of the line, and a proportionable number of frigates, to cruize in the East and North Seas, for the purpose (in conjunction with the English maritime force) of preventing the sending of any *provisions* or *ammunition* to France. The Empress therefore requests the King of Sweden, not to permit his ships of war to take any Swedish merchantmen, laden with such commodities, under their convoy. Her Imperial Majesty has further ordered all merchant ships, which her squadron may meet in those seas, to be searched, to see if their cargoes consist of any such goods: All which is done for this reason, namely, that no neutrality can take place with respect to a Government consisting only of rebels.”

Stockholm, August 9.

Mr. Notheck, Chargé des Affaires from the Empress of Russia, delivered to the Grand Chancellor of the Crown, the following official note:

“The under-signed Chargé des Affaires of her Imperial Majesty the Empress of all the Russias, in reference to the amicable and confidential application, which, in the beginning of the present year, Count Stackelberg, the Ambassador from her Imperial Majesty, had been charged, in concert with the other Ministers from the Courts interested in the present war, to make to the Ministry of his Swedish Majesty, has now the honour to notify, that her Imperial Majesty, in consequence of a stipulation agreed upon between the Empress and his Britannic Majesty, has sent a fleet of twenty-five sail of the line to cruize in the East and North Sea, for the purpose of cutting off and destroying the trade and navigation of the French rebels, and of protecting the coasts of those seas against their acts of pillage and devastation.

“The Commanders of that fleet have instructions to seize upon all vessels hoisting the so called French flag, or any other flag which the navigators of that nation should dare to hoist; also, to stop all neutral vessels, having a cargo for any of the ports of France, to
force

force them either to return to the port from whence they came, or to unload their cargo in any neutral port they should think fit to point out.

“ After all the proofs which her Majesty has given of the generous and disinterested care she had taken to secure the rights of neutrals states, in time of war, by establishing a particular code of navigation laws, which received the approbation of most of the Maritime Powers, by solemn treaties, she has no reason to fear, lest her present conduct might excite any suspicion of her intending to infringe that generous and beneficial system, since that system can by no means be applicable to the present circumstances.

“ In order to prove this assertion, it will be sufficient to allege, that the usurpers of the government of France, after having overthrown every order in that country, after having dipped their murderous hands in the blood of their King, have, by a solemn decree, declared themselves the protectors and supporters of all those who should attempt like crimes against their Sovereigns and Governors in other states. This they not only promised, but they have actually attacked most of their neighbouring powers with armed forces, and by this, having placed themselves in a state of war against all the Powers of Europe; no neutrality consequently could exist from that time, in any power with regard to them, except where prudence, and the benefit of the common cause prescribed a feigned peaceable disposition.

“ But this motive is no longer in existence since the combination of the formidable Powers of Europe, to make it their common cause against the enemies of the safety and happiness of nations.

“ If there are Powers, whose particular situation or circumstances do not permit them to make such vigorous and decisive exertions, as those made by the other Powers, it is but just, that they should employ all other means which they immediately have in their hands, to second the measures in favour of the common cause, and particularly that they should interrupt and put an end to all commercial communications with those disturbers of public tranquillity.

“ Her Imperial Majesty thinks herself so much the more justified in proposing these measures, as she had been the first who set the example in her states, notwithstanding the actual disadvantages which arise from such measures, to the exportation and sale of numerous articles of the produce of her empire.

“ Her Majesty foresaw too well the inconveniencies to which the general good would be exposed, if it was permitted to facilitate to the common enemy the procuring of the necessary provisions and ammunition, which might enable them to continue and prolong the troubles which they have excited in Europe, to have hesitated a moment to make a sacrifice of some momentary advantages, the least which so great a cause deserved.

“ Her Majesty the Empress of Russia, therefore, with as full confidence in the justice of these motives, as in the friendship of his Swedish Majesty, thinks herself justified in communicating to his Majesty the King of Sweden, the most pressing representations

of her Allies, to induce his Majesty to persist in his friendly and favourable dispositions towards them, and to give orders to his Admiralty to refuse all protection of convoy to Swedish vessels, bound to any port of France, and that all other Swedish vessels should submit to the examination and searching which might be required of them by the Commanders of the armed ships of her Imperial Majesty, who are ordered to treat them with all the indulgence and respect which is due from the Allied Powers towards all the other neighbouring and friendly Powers.

(Signed) "NOTBECK.

"Stockholm, July 30, 1793."

Note delivered by the Swedish Ambassador, M. VON STEDINCK, to the Cabinet of St. Petersburg.

"As commerce has always been found indispensably necessary to the existence of Sweden, it has ever been, and is still, an object of great importance to the Duke Regent to devote his whole and uninterrupted attention to the direction of that branch of government, and it was for this reason that that Prince thought himself obliged to watch over the observation of the strictest neutrality; not that he ever harboured any consideration in favour of the French; but the Duke always had, and ever will have, the welfare of the faithful subjects of his nephew, the King, dear at heart.

"His Royal Highness, by means of the under-signed Ambassador of the King at the Court of her Imperial Majesty, as well as by the Swedish Ambassador at the Court of London, has already expressed his hopes, that means will be found by which measures will be taken, in such a manner that the Powers combined against France might obtain their views, without infringing any existing treaty, or any attempt being made against the rights of any peaceable subject.

"This conduct, which his Royal Highness always so punctually pursued, must have placed in a clear and open point of view the honourable principles by which he has always been guided, namely, principles of justice and of humanity towards the nation whose happiness and prosperity he had been intrusted with, and which he could not but expect would meet with the approbation of so generous and wise a Princess as her Majesty the Empress, who is so near a relation to his Royal Highness, and to the young King, his ward.

"Besides, this magnanimous Sovereign has it in her power to pursue her great views, in issuing out orders to the Commanders of her men of war, and to the Captains of other armed vessels, like those issued out by his Britannic Majesty to the Captains and Commanders of British armed vessels, which had been communicated in a note from the *Chargé des Affaires* of his Majesty, the King of Great Britain, delivered on the 26th of July, to the Grand Chancellor Sparre.

"The two Courts of Petersburg and London being allied, and combined in the present war, for the same views, and undoubtedly

doubtedly with the same interest, it is but natural to expect that equal measures would be adopted by both Courts.

"What particularly induces his Royal Highness to propose measures equally answering the views of the Belligerent Powers, and acceptable to the Government of Sweden, is the near relation which exists between Sweden and Russia; a relation which is founded on the indissoluble ties of consanguinity, as well as upon powerful treaties of alliance, which are of a nature not to suffer any alteration at any time whatever.

"His Royal Highness the Duke Regent therefore firmly relies, and with the utmost confidence, upon the unalterable friendship of the Empress, his ally, that his Royal Highness could never imagine that that Princess should ever require of him any thing diametrically opposite, nor in the least prejudicial to the rights and interests of Sweden.

{Signed}

"VON STEDINCK."

Stockholm, August 27.

M. De Coral, hitherto Ambassador from the Court of Spain to our Court, had yesterday an audience of leave of his Majesty; and the Abbe Echiberria was presented to his Majesty as Chargé des Affaires from the Spanish Court.

The following note was delivered by Mr. Keene, Chargé des Affaires from his Britannic Majesty, to the members of the Cabinet of his Majesty the King of Sweden:

"The undersigned Chargé des Affaires of his Britannic Majesty, has orders to communicate to the Ministers of his Majesty the King of Sweden, a copy of the orders issued out by his Britannic Majesty, in his Privy-Council, concerning several measures relative to the trade and navigation of neutral nations during the present war;

"The Ministry of Sweden will no doubt observe, that the rules prescribed in these orders are much more favourable to Sweden, than those stipulated in the treaty existing between the two Courts, as in the treaty, all transports of provisions to an enemy are declared contraband, and subject to confiscation.

"The exception in favour of Sweden in the article of these regulations concerning blocked-up ports, is founded upon the same treaty; the principles of which are perfectly consistent with the prescriptions given to the Commanders of his Majesty's armed vessels. It can certainly not be imagined that the object of this treaty has been to permit to the vessels belonging to Neutral Powers to renew their attempts of entering into blocked-up ports as many times, till they succeed in throwing provisions into them; they have only been exempted from the punishment of confiscation upon the first attempt.

"His Majesty does not doubt but that the Court of Sweden will consider the particular attention which his Britannic Majesty, on this occasion, paid to the interests of Sweden, and of which this present communication is not less a proof.

" His Majesty therefore expects, on the part of Sweden, the strictest observance of the said treaty, and that according to the conditions expressed in the 13th article, orders will be given, that no vessels or goods taken by the enemy from British subjects, should be permitted to enter into the Swedish ports, and to prevent, in case an enemy's vessel should carry any vessels or goods belonging to British subjects, that captured goods or vessels should be sold in the states of Sweden, and that all the British sailors, prisoners, &c. carried into the ports of Sweden, as well as the enemy's vessels themselves, shall not be permitted to make any stay in these ports; and all the British sailors, masters of vessels, and all prisoners, at their arrival in any Swedish port, shall immediately be set at liberty."

The following is the Answer of M. BERGSTEDT, the Chargé des Affaires from the Court of Stockholm to that of London, delivered to the Minister of His Britannic Majesty.

" His Royal Highness the Duke Regent of Sweden, having been instructed of the contents of the note which the Chargé des Affaires of his Britannic Majesty at Stockholm transmitted, by order of his Britannic Majesty, on the 26th of last month, to his Excellency the Great Chancellor of the Swedish empire, Baron Von Sparre has given orders to the under-signed Chargé des Affaires of his Swedish Majesty at the Court of London, by means of this present official note to the Minister of his Britannic Majesty to declare, that his Royal Highness the Duke Regent of Sweden observed, with inexpressible pleasure, that he had not been mistaken in the favourable opinion which he ever entertained of the principles of justice by which the steps of the Court of Great Britain are guided, and of its religious observance of treaties, his Royal Highness assuring at the same time, that all the points of these treaties shall be observed on his side with not less strictness.

" The under-signed, moreover, has special orders from his Royal Highness the Duke Regent, to give the strongest assurances on his part, that not only the strictest orders will be given in the name of his Majesty of Sweden, respecting the punctual execution of the articles of the treaties of neutrality; but likewise, that his Royal Highness shall always think it his duty to seize every opportunity to convince his Britannic Majesty of the friendship of the Court of Sweden, and of his constant desire to preserve and strengthen the harmony and the mutual good understanding which is reigning between the two empires.

(Signed) " J. VON BERGSTEDT."

No. V.

DENMARK.

Note delivered by the British Ambassador at the Court of Copenhagen, to the Ministers of the Danish Cabinet.

"It can by no means be mistaken how much the circumstances of the present war are different from those wars in which the Powers of Europe can depend on the established laws and rights of nations; no more can it be denied, that this palpable difference ought to have a material and powerful influence on the enjoyments of the privileges allowed to neutral nations, by the same general laws and rights of nations, or by particular treaties.

"At this moment there is no Government in France, which is either acknowledged by the neutral or by the belligerent Powers. The Court of Denmark has neither a Minister at Paris, nor has it accepted of any from that country since the unfortunate death of his late Most Christian Majesty the King of France. That Court has justly taken particular care not to acknowledge the existence of any legal authority in France, as in fact there is none at present; and although many particular considerations prevented that Court from entering openly into the hostile measures of the Coalesced Powers, it could never look on the Government of France, as a party with whom they could enter into any amicable relation, and must even find a great difficulty in preserving a strict neutrality with respect to them.

"In general cases, where a neutral power keeps up a commercial relation with two Belligerent Powers, that neutral power in the first instance has means either by negotiations with the two Belligerent, or other Powers, or by the established laws of Europe, to enforce the strict observation of neutrality towards itself, equally from both the Powers which are at war with each other. The two Powers on the other hand have assurances, that the neutrality of that power will never be exerted in favour of one of the parties, and to the disadvantage of the other. And in case any of the commercial transactions of the neutral powers should prove disadvantageous to one of the belligerent parties, means of amicable representations are always left open for them, in which such differences are easily settled, to the equal satisfaction of every party.

"The circumstances, in this present case, are quite otherwise. Denmark, in retaining, with respect to England, all the commercial privileges of a neutral power, which are guaranteed to them by the general right of nations, as well as by standing treaties, can by no means be assured of the observance of the same regulations and laws of the rights of nations on the part of France. In that country, this neutrality has not only already been violated, but continues to experience daily infringements. There the court of Denmark has no Minister, who could keep sacred its rights, as well as the rights of its subjects. In that country there is no authority from whom justice might be expected, where in fact there are no other laws, nor courts of justice, but the will of a licentious mob, &c.

"His

" His Danish Majesty will also find it impossible to treat with France in an amicable manner, and as a Neutral Power, respecting the means of introducing those measures of precaution, upon the observance of which the other Belligerent Powers have so great a right to insist, in order that the prerogative Neutral Commerce, especially the Corn and Grain Trade, be not abused at a time when so many circumstances perfectly new have acceded. It is a fact of universal notoriety, that the Corn Trade of France with foreign countries is no longer a mere private trade, but that, contrary to all custom, it remains almost entirely in the hands of the pretended Executive Council, and of the different Municipalities. It can therefore no longer be considered as a mere combination of private speculations, of which the individuals of other nations partake, but as a business immediately carried on by the above-mentioned pretended Government, which has declared War against us.

" It is equally notorious, that at the present moment, one of the most essential expedients to compel those who have declared war against us to equitable terms of peace, consists in their being prevented by importation to remove that want, which is a necessary consequence of what they have done, in order to arm the whole laborious class of the people of France against the other Governments and the general tranquillity of Europe. It is a principle allowed by all the writers upon the public right, that importation may be prevented, if there are any hopes that by so doing one can conquer an enemy, and especially so, if the want of that enemy has been occasioned by those measures which they took to injure us: And it is incontrovertible, that this case, quite new in its kind, cannot be judged by the principles and rules which were only made for wars carried on according to the custom introduced among the Sovereigns of Europe.

" It is further to be observed, that his Danish Majesty, if he gives reception in his ports to French privateers with their prizes, cannot provide for himself that security which is requisite, according to the laws of nations, for the validity of their letters of marque, and for the regularity of their conduct. The courts of justice cannot, without involving themselves in the manifest contradiction, acknowledge the legality of any patent or letter of marque that is derived from a Government which his Majesty does not acknowledge to be sovereign. On account of this non-acknowledgment, prizes can neither be condemned, nor British subjects and British property be retained, in the ports belonging to a friendly power, whose protection they are entitled to claim, without a direct violation of the treaties; and it is, above all, impossible to apply, in this case, the usual laws of an impartial neutrality, since there is no acknowledged authority in France which can give to privateers the proper instructions respecting their conduct, and to which a neutral power might apply to bring them to punishment, whenever they deviate from those instructions, on the non-observance of which they are not to be considered as legal privateers, but only as pirates.

(Signed)

" HAILLES."

Answer

Answer from the Royal Court of Denmark to the preceding official Note.

“ His Majesty cannot, but with the most lively regret, find himself necessitated to complain of the conduct, or to combat the principles of the Powers, whom, for so many years, he had been used to look upon as his friends and allies. His Majesty had always entertained hopes, that his conscientiously observing the strictest neutrality, and his adherence to the literal sense of the existing treaties, should have secured him from such unpleasant transactions, as those to which he alludes; but the unexpected contents of the note delivered by Mr. Hailes, Ambassador Extraordinary of his British Majesty, supported by a memorial delivered by Count Goltz, Ambassador Extraordinary from his Majesty the King of Prussia, do not permit him any longer to pass it over in silence.

“ The reasons which his Majesty has to oppose to those, which have been laid before him, are contained in the enclosed memorial. The desire of maintaining an opinion which he once had expressed, is not what induces him to persevere in the same principles. His Majesty is entirely directed by the interior conviction of the most important interests to preserve a peace, as being an object much desired by his Majesty's subjects.

“ His Majesty being convinced that he addresses friendly, just, and upright Sovereigns, will therefore declare his sentiments with candour, and without reserve.

“ The question is not concerning the rights of Denmark. The rights of that kingdom are not problematical, and the King, my master, in this respect, appeals to the feelings of the Sovereigns, his friends, how painful it must be for him to be obliged to enter into a controversy, where there is nothing necessary but the fulfilling of the most clear treaties universally acknowledged and agreed to.

“ His Majesty flatters himself, that no argument will prevail, or be looked upon as grounded upon justice, which would establish a principle, that the particular nature of an accidental war could in any means alter the nature of mutual treaties or contracts, or that a mutual consent would be considered as a favour or privilege; or that certain Powers had a right to make regulations at the expence of a third; or that Powers, in order to lighten the burden which is inseparable from the war in which they are engaged, had a right to lay the weight of it on the shoulders of innocent and neutral neighbours.

“ These objects may perhaps give occasion to difference; but his Majesty would think it an insult against the respectable Powers to whom he appeals, if he harboured the least suspicion, that after having been made acquainted with his representations, they should persevere in their former demands, or a still greater, if he manifested a fear, lest they should make use of a superior force, in order to put violence in the place of proofs of a necessary consent of the interested parties. His Majesty not having had any communication upon this subject with the other Neutral Powers, is for this reason
unacquainted

unacquainted with their sentiments thereupon; but is convinced at the same time, that their opinions, as well as opposition, must be unanimous; and that they must be certain of the impossibility there is to make a system of neutrality agree with measures, which are totally detrimental to such a system.

“ His Majesty is not afraid that this conduct will appear reprehensible. He demanded nothing but what is agreeable to the sense of the existing treaties; he remained faithful to the stipulations expressed in those treaties, as well as to neutrality itself. His Majesty thinks himself the suffering party. He is at a loss to form an idea how his Britannic Majesty could have given to the Commanders of his Majesty's ships new instructions, which are directly opposite to the former regulations, as well as to the sense of the treaties existing between his Britannic Majesty and the Court of Denmark, without the latter's knowledge or consent.

“ His Majesty first expected, that those instructions would only have regarded such neutral powers as had not entered into any decisive convention with England; but on the conviction of the contrary, he could not help protesting against such orders and instructions, considering them as an open breach of those treaties, and an infringement of one of the most sacred and binding laws, which were established among mankind. His Majesty, therefore, entreats his Britannic Majesty to revoke such instructions, and to issue orders, conformable to the strict sense of the sacred engagements and treaties existing between the two nations.

“ His Majesty, at the same time, is willing to shew his Britannic Majesty, as well as his Majesty of Prussia, and the other coalesced powers, that his intentions are, to comply with any of their requests, which are not contrary to the rules of strict neutrality, or to the interests of the Danish nation. He therefore consents to consider all French sea-ports, before which there shall be any considerable naval force belonging to England and her Allies, as blocked ports. The Danish government will neither enter into nor favour any contract with the government of France, for the purpose of supplying their navy or army with provisions. No sale of prizes made by French armed vessels, will be permitted in the Danish ports or other parts of the dominions of his Danish Majesty.

“ His Majesty, besides, will omit nothing, in order to deserve in future, as well as hitherto, the friendship and esteem of his Britannic Majesty, and his Allies; and shall contribute every thing in his power, in order to strengthen, if possible, the ties of friendship and alliance, which have hitherto existed between the British nation and that of Denmark.

“ Given in the department for foreign affairs, at Copenhagen,
July 28, 1793.

(Signed) “ A. P. VON BERNSTORFF.”

Counter

Counter Declaration of the Court of Denmark, in reply to the Memorial delivered by the British Minister.

“ The law of nations is unalterable. Its principles do not depend on circumstances. An enemy engaged in war can exercise vengeance upon those who do not expect it ; but in this case, and without violating the rigid law, a fatal reciprocity may take place ; but a neutral power, which lives in peace, cannot admit of, nor acknowledge such a compensation ; it can only screen itself by its impartiality and by its treaties. It is not pardonable for her to renounce her rights in favour of any belligerent power. The basis of her rights is the universal and public law, before which all authority must vanish : It is neither a party nor a judge ; nor do the treaties give room to privileges and favours. All these stipulations constitute the perfect law : They are mutual obligations. That would be a very unnatural agreement, which any of the contracting parties might at pleasure suppress, interpret, or restrain. In this manner all treaties would in general become impracticable, because they would be useless. What becomes of equity, fidelity, and surety ? and how much more unjust must become oppression, when it sets aside the infringement of sacred duties, the advantages of which have been enjoyed, but only acknowledged as long as they suited self-interest !

“ Denmark will surely never attempt to justify the present government in France, its nature and origin ; but she will neither give her judgment, and her neutrality will not permit her to express her mind on this subject. We only confine ourselves to the lamenting the disasters which befell that country, and, on its account, all Europe ; and to the wishing to see them brought to a speedy termination. But this is not the moment to own or acknowledge a form of government, which we have always refused to acknowledge. The nation is there, and the authority which it acknowledges, is that to which application is made in cases concerning individuals. The commercial connexions subsist likewise in the same manner as they did between England and France, as long as the latter chose to preserve peace. The nation has not ceased to acknowledge her treaties with us ; at least, she conforms herself agreeable to those treaties. As she appeals to them, so do we appeal to them—and frequently with good success, both for ourselves, and in favour of those subjects of the Belligerent Powers who commit their effects to the protection of our flag. In cases of refusal and delay, we have frequently been obliged to hear often and reluctantly, that they only used to take reprisals, since the nations with whom they were at war, shewed as little regard for their treaties with us : And thus the neutral flag becomes the victim of errors, with which it cannot reproach itself. The path of justice still continues open in France. The consuls, and the mandatories of private individuals, are heard. No one is prevented from applying to the tribunals of commerce. This is sufficient in ordinary cases. No fresh negotiations are required for the maintenance of existing treaties. Mi-

nisters become quite superfluous in this respect; there are judges, and this is sufficient.

" These considerations are already violated by the observation, that our grievances are frequently heard in France, and that there is no possibility of getting them redressed. The Municipalities, to whom application must be made, are certainly not alike equitable: The sentences of the tribunals of commerce, are not founded upon uniform principles: The extreme means of refuge to a medium of power is totally removed; and these circumstances occasion at times grievous acts of injustice. In this respect, none are greater sufferers than the neutral powers; and it would be very unequitable to punish them doubly, and also on the part of those powers who cry aloud against those unjust proceedings, and yet seem to justify them by their own imitation.

" A negotiation between a neutral and a belligerent power, which would have for its object, that the latter should not make use of neutrality to the detriment of the former, cannot be thought of. A neutral power has fulfilled all its duties, if it has never receded from the strictest impartiality, and from the acknowledged sense of its treaties, in case the neutrality should prove more advantageous to one of the Belligerent Powers than to another, become foreign to the neutrality, and does not concern it. This depends on local situations and circumstances, and does not remain alike. The detriments and advantages are compensated and balanced by time. All that does not absolutely depend on a neutral power, ought to have no influence upon its neutrality; otherwise a partial, and frequently but momentary interest, would become the interpreter and judge of existing treaties.

" The distinction between private speculations, and those made by the government and the municipalities, seems to us to be as new as it is totally unknown. As this case cannot at all find place here, it would be superfluous to discuss the question, whether a contract between a neutral government and a belligerent power, respecting supplies of provisions for armies, garrison-towns, or of ships of war, can be contrary to a treaty in which no such exception has been mentioned. The only question here is respecting speculations which might be made by private individuals—respecting the sale of productions quite harmless in their nature, the disposal of which is not less important to the vender, than the possession of them is to the purchaser—respecting the use of the ships of the nation, which must chiefly seek her subsistence in navigation and the corn trade. Nor is the question here about ports of war, but about ports of commerce; and if it be lawful to reduce by famine blockaded harbours, it would not be quite so just to accumulate this misery upon so many others, where it befalls the innocent, and may even reach provinces in France, which have not deserved this increase of wretchedness, either on the part of England, or on that of her Allies.

" The want of grain, as a consequence of the failure of domestic productions, is not a thing unusual, which might only take place in the present moment; or which might be occasioned by the grounds which constitute the difference so often alleged between the present

present and former wars. France is almost constantly able to make imports from abroad. Africa, Italy, America, furnish her with much more corn than the Baltic. In the year 1709, France was more exposed to famine than it now is; and yet England could not then avail herself of the same grounds. On the contrary, when, soon after, Frederick IV. King of Denmark, on account of his war with Sweden, which requires almost constantly importations from abroad like France, could believe that he might adopt the principle, that exportation can be lawfully prevented, if one has hopes to conquer an enemy by so doing; and he intended to apply, with regard to the whole country, this principle, which is only considered as valid with regard to blockaded ports; all the powers remonstrated, especially Great-Britain, and unanimously declared this principle to be new and inadmissible; so that the King, convinced to the contrary, desisted from it. A war can certainly differ from others with regard to its occasion, tendency, necessity, justice, or injustice. This can be a most important concern to the Belligerent Powers. It can and must have influence upon the peace, upon the indemnification, and other necessary circumstances. But all this is absolutely of no concern to the neutral powers. They will, upon the whole, give the utmost deference to those on whose side justice seems to be; but they have no right to give way to this sentiment. Where a neutrality is not quite perfect, it ceases to be neutrality.

“ The ships bearing the British flag, like those which bear that of the Allies of England, find in all the harbours of his Majesty every possible safety, assistance, and protection: But those cannot be reckoned among their number which have been captured by their enemies. The French privateers cannot be considered as pirates by the neutral powers, as long as England does not consider and treat them as such. In England the prisoners are deemed to be prisoners of war; they are exchanged; and negotiations have even been entered into for this purpose. The usual laws of war are there observed in all respects; and by this rule alone we ought to go. The tri-coloured flag was acknowledged in Denmark, at a period when it was acknowledged every where else. Every alteration in this respect would be impossible, without involving ourselves in a war, or without deserving one.

“ The admittance of privateers in Norway, is a consequence of this neutrality, before which all regard must vanish. It has found place in all the maritime wars that ever befell Europe. All the nations in their turn have availed themselves of and desired it. The local description allows no general prohibition. It would only bring us into dilemmas, because we could not abide by it in a remote country, where there are coasts of immense extent, numberless harbours and anchoring-places, and only a small number of inhabitants. The prohibition would therefore be illusory, and even dangerous, as the French, in virtue of their decrees, would then destroy the ships which they would no longer hope to put in a state of safety. The subject is otherwise of small importance; and the means against it are numerous, and easily to be applied.

(Signed) “ A. P. VON BERNSTORFF.”

Answer of the Court of Denmark, to the Note delivered on the 10th of August by the Imperial Russian Ambassador.

“Whereas I have given an account to the King, my master, of the note which the Ambassador Extraordinary and Minister Plenipotentiary of her Majesty the Empress of all the Russias, Baron de Krudener, delivered on the 10th of August 1793, I have received his Majesty's command to answer, That his Majesty sees, with the greatest sorrow, how much the principles contained in the said note militate at this time against his own; that his Majesty expected no intimation that manifested doubts which his Majesty had not deserved; that it could not but be known to her Imperial Majesty, that the King had resolved to give no convoys to the Danish ships bound to France; and that his Majesty never had pretended to send naval stores into that country; that his Majesty could not of course guess the meaning of a declaration which did not concern him, nor of a proceeding which applied the principles and rights of a blockade to situations which precluded every idea of that kind; that the restricted commerce in grain, as it *now* subsisted, was a quite insignificant circumstance for the cause which her Imperial Majesty had espoused; but that it was not so with regard to Denmark, as it involved the sacrifice of her rights, her independence, and her treaties: That his Majesty did not permit himself to enter into a proper inquiry in this respect, since her Imperial Majesty had rejected the only judge whom his Majesty could acknowledge, namely, the universal and special law of nations: That his Majesty being no longer at liberty to appeal to this law, would only appeal to the friendship and equity of her Imperial Majesty, which had been manifested so many years, and by so many proofs: That his Majesty acted thus with the greater confidence, as he thought to have evinced his by such numerous reciprocal and decisive testimonies, as his Majesty did not make any use of his incontestable rights to claim, with regard to the liberty of his navigation, the protection due to him in virtue of the most solemn treaties—a protection which her Imperial Majesty had herself proposed.

(Signed) “A. P. VON BERNSTORFF.”

Foreign Office, Copenhagen, Aug. 23, 1793.

No. VI.

SWITZERLAND.

Note presented to the Helvetic Body, by Lord Robert Fitzgerald, Minister Plenipotentiary of his Britannic Majesty to the Swiss Cantons.

“High and Mighty Lords, Seignors, Burgomasters, &c. and the Counsellors of the Thirteen Respectable Swiss Cantons,

“The under-signed Minister Plenipotentiary of his Britannic Majesty thinks himself bound to express to you the great indignation which he has felt at the new outrage committed against your Excellencies,

Excellencies, by those vile and ferocious men assembled at Paris, under the name of the Convention. Not having been able to corrupt your brave troops in the service of his Most Christian Majesty, and despairing to make them accomplices in their robberies, these factious men have disarmed, plundered, and murdered them. Europe will never forget the noble sacrifice of so many generous Swiss, who died in defending Louis XVI. It will never forget the cruelties which those cannibals made them suffer! Stained with the blood of your brothers, and of a virtuous King, your friend and ally, and of his august Spouse, and of an infinite number of innocent victims—authors of a most terrible war, which they undertook with the hopes of extending their tyranny over all Europe, at the moment when they have reached the last point of atrocity and madness, when they multiply more than ever their victims, and butcher one another—they have had the hardiness to call themselves your Ally; they have not blushed to mention your treaty with the Sovereign whom they brought to the scaffold; they have shewn a desire to strengthen their connexion with you. Objects of universal execration, they have had the impudence, High and Mighty Lords, to make for you alone, of all Europe, this disgraceful exception. What connexion can subsist between the freedom of the Swiss, and that horrible anarchy to which they have prostituted its name? What common tie can there be between a people, good, virtuous, religious, and the friends of morals and justice, and atheists, enemies of God and man, thirsting for blood and pillage? whose crimes, for these five years past, have exceeded a thousand times the crimes of former ages! You know, High and Mighty Lords, that in their efforts to propagate their infamous doctrine beyond the limits of France, they have not respected your happy country. You can never forget the intrigues of their emissaries to destroy all respect for your laws. Nobody can believe, that these promoters of discord and anarchy, in attacking every principle of civilization in Europe, have any intention of preserving them in your States; or that they have renounced the project of exciting internal dissensions in them, when an opportunity offers. The ravages which they have exercised in the Low Countries, in Savoy, and in the Bishopric of Bale, and wherever they have penetrated, under the name of *the Friends of the People*, prove sufficiently what may be expected from their testimonies of friendship. There cannot subsist a durable peace between the wise councils of the Helvetic States and such plunderers. What then is the end of their perfidious caresses? They wish to conceal the dangers which threaten you; they have the hopes, no doubt chimerical, of corrupting your citizens, and by diminishing the horrors with which they inspire them, to be able at a future period to surprise you amidst a fatal security.

“ The Minister of his Britannic Majesty will not decide, whether justice, and the true interest of a State, permit it to remain neuter, against those who would again reduce it to barbarism, in a war of almost all the powers of Europe, in a war where not only the existence of every established government, but even that of all kind of property is at stake. He will only observe, that neutrality
itself

itself will not authorise any correspondence, directly or indirectly, with the factions or their agents. When two legitimate powers are at war, the connexion of a State with either of them cannot injure their respective rights; but the present war being carried on against usurpers, any correspondence with them by a neutral State, would be an acknowledgment of their authority, and, consequently, an act prejudicial to the Allied Powers.

"His Britannic Majesty has too high an opinion of your wisdom, High and Mighty Lords, not to believe, that you will despise the insinuations of the common enemy of all people; and that you will redouble your zeal and vigilance, to avert from your country, all those plagues which at once overwhelm the unhappy people of France!—At all times, and on every occasion, his Majesty will not cease to give you proofs of his friendship, and to interest himself in the maintenance of the independence, and of the ancient prosperity of your States, and of those of your Allies.

"Done at Berne, November 30. 1793.

(Signed) "ROBERT STEPHEN FITZGERALD,
"Minister Plenipotentiary of his
"Britannic Majesty."

No. VII.

Answer of the Swiss Republic to Lord Robert Fitzgerald's Declaration.

"Your Excellency, in a letter dated the 30th of November, thought proper to recommend to the serious consideration of the Helvetic Body, some important observations on the relative situation of the Republic to the Belligerent Powers.

"These observations we have examined with all that care and attention which is due to the interests of our country, and we think that we afford your Excellency a proof of the esteem which we entertain for your character, by making an open and sincere exposition of our situation and our conduct.

"However afflicting the remembrance of those terrible events in France (which your Excellency has brought to our recollection), and the sad fate of our brethren who suffered so unfortunately, may be, yet our grief must nevertheless yield to the principles of our Constitution: These principles have rested for several centuries on the relations of peace, amity, and good neighbourhood with all the surrounding powers.

"The operation of these principles has never been interrupted by foreign wars.—A rigid and exact neutrality was the invariable maxim of our ancestors, and having received it as a sacred inheritance, we have conceived it to be our duty to abide by it in the present war. And this conduct has produced a salutary influence, not only on our external safety, but on our internal peace.

"Accustomed to observe scrupulously all engagements entered into, we will neither wander from our declared neutrality, on any pretence

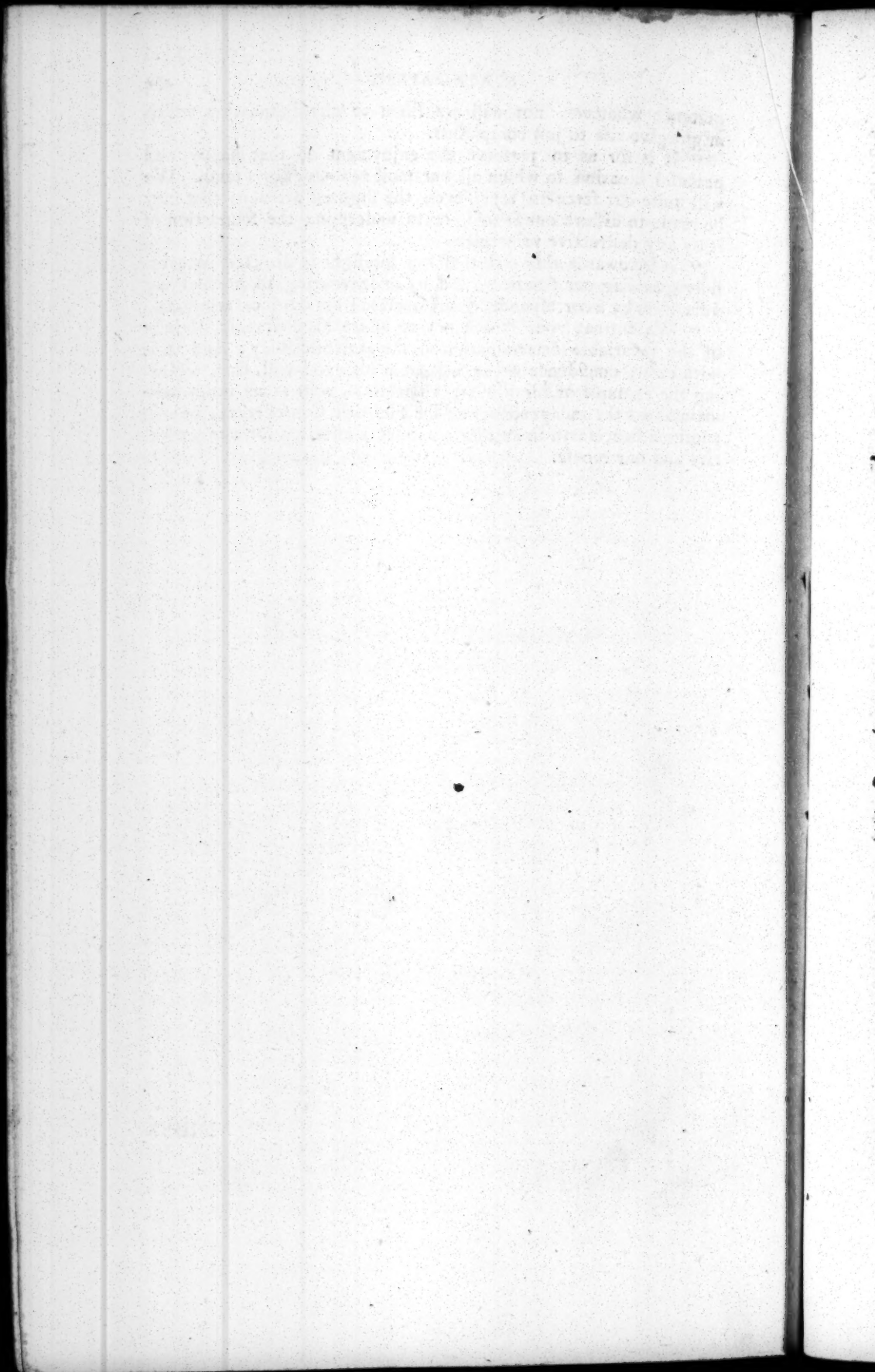
pretence whatever, nor will we listen to any insinuation which might give rise to just complaints.

“ It is for us to preserve the enjoyment of that happy and peaceful situation to which all our most zealous efforts tend. We will unite our force to repel even the slightest attempts that may be made to disturb our repose, or to undermine the foundation of it by any destructive principles.

“ It is towards this end that our foresight is directed by carefully guarding our frontiers, and by endeavouring to prevent any difficulties by a correspondence inseparable from our local relations.

“ We intreat your Excellency to assure his Britannic Majesty of the invariable determination of the Helvetic Body: And it is with entire confidence we expect, from his good-will, that, following the example of his illustrious ancestors, who at all times have maintained the independence of the Helvetic Confederacy, he will continue henceforth to entertain a sincere affection for our prosperity and our repose.

“ We are, &c.”



I N D E X

TO

Woodfall's Parliamentary Reports,

VOL. I.

A DDRESS to the PUBLIC Page 1
ADVERTISEM^{ENT} to the READER

HOUSE OF LORDS.

OPENING of the SESSION, Jan. 21, 5

1794

HIS MAJESTY'S SPEECH *ib.* 9

Lord STAIR's Speech, on moving the

ADDRESS

Speech of Lord Auckland, on seconding

the Address

— the Earl of Guildford 15

— Duke of Portland 19

— Earl Spencer *ib.* 27

— Earl of Coventry 29

— Duke of Norfolk *ib.* 30

— Earl of Derby 32

— Earl of Mansfield 35

— Earl Hardwicke 36

— Earl Stanhope 37

— Lord Grenville 38

— Marquis of Lansdown 40

— Earl of Abingdon 48.

— Earl of Lauderdale 50

— Earl of Carlisle 44

— Lord Grenville *ib.* 48.

— Lord Chancellor 49

— Lords' Address 51

VOL. I.

Thursday, Jan. 23.

TRIAL of Mr. HASTINGS Page 135

MOTION to acknowledge the FRENCH

REPUBLIC *ib.*

Speech of Earl Stanhope 137

— Bishop of Durham 146

— Earl of Abingdon 147

— Earl Stanhope, in reply *ib.*

— Lord Darnley 148

— Earl of Warwick 149

Tuesday, Jan. 28.

SENTENCE of the COURT of JUSTI-

CIARY, in the Cases of Mr. Muir,

Mr. Palmer, &c.

Speech of Earl Stanhope 157

ib.

Ditto Friday, Jan. 31. 157

Speech of Earl Stanhope *ib.*

— Earl of Mansfield 182

— Duke of Norfolk 184

— Earl of Lauderdale *ib.*

— Lord Chancellor 185

— Earl Stanhope, in reply 188

— Lord Thurlow 189

Earl Stanhope's PROTEST on this sub-

ject 194

3 N

Friday,

INDEX.

Friday, Feb. 14.

MARQUIS of LANSDOWN'S SPEECH on postponing his MOTION	Page 355
Speech of Lord Grenville	<i>ib.</i>
— Earl of Coventry	356
— Earl of Lauderdale	<i>ib.</i>
EXPEDITION to aid the ROYALISTS in France	<i>ib.</i>
Speech of the Earl of Moira	<i>ib.</i>
— Earl of Lauderdale	359
— Lord Grenville	360
— Earl of Guildford	<i>ib.</i>

Monday, Feb. 17.

IMPEACHMENT	364
Speech of Lord Thurlow	<i>ib.</i>
MOTION for PEACE	<i>ib.</i>
Speech of the Marquis of Lansdown	<i>ib.</i>
— Earl Fitzwilliam	397
— Duke of Grafton	400
— Earl of Caernarvon	405
— Earl Darnley	410
— Earl of Guildford	411
— Duke of Leeds	415
— Lord Sydney	418
— Lord Hay (Earl of Kinnoul)	420
— Earl of Carlisle	425
— Lord Grenville	426
Reply of the Marquis of Lansdown	437
Speech of the Earl of Lauderdale	440
STATE PAPERS referred to by the MARQUIS of LANSDOWN.	
No. I. Tuscan State Papers	443
II.	445
III. Genoa	447
IV. Sweden	448
V. Denmark	457
VI. Switzerland	460
VII.	462

HOUSE OF COMMONS.

SPEECH of LORD CLIFFDEN on moving the ADDRESS	55
— Sir Peter Burrell	57
— Lord Wycombe	60
— C. Tarleton	62
— Mr. Hawkins Brown	64
— Mr. Courtenay	<i>ib.</i>
— Earl of Mornington	67
— Mr. Sheridan	72
— Mr. Wyndham	84
— Mr. Dundas	85
— Mr. Fox	87
— Mr. Pitt	96
List of the MINORITY on the Amendment to the Address	105
CONVENTIONS between his Britannic Majesty and the Empress of Russia.	
Signed March 25, 1793	107. 109

Treaty with the Landgrave of Hesse Cassel. Signed April 10, 1793	Page 110
Convention with Ditto. Signed August 23, 1793	115
Treaty with the King of Sardinia. Signed April 25, 1793	116
— with the King of Spain. Signed May 25, 1793	118
Convention with the King of the Two Sicilies. Signed July 12, 1793	120
— with the King of Prussia. Signed July 14, 1793	122
— with the Emperor. Signed August 10, 1793	124
Treaty with the Margrave of Baden. Signed Sept. 21, 1793	129
— with the Queen of Portugal. Signed Sept. 26, 1793	129
— with the Landgrave of Hesse D'Armstadt. Signed Oct. 5, 1793	131
Declaration published at Toulon, Nov. 20, 1793	135
MR. HASTINGS'S TRIAL	150
Mr. Burke's Motion	<i>ib.</i>
Mr. Wigley's Notice	151
Mr. Dudley Rider's MOTION on AMERICAN INTERCOURSE	<i>ib.</i>
CONDUCT of the COURT of CRIMINAL LAW of SCOTLAND	<i>ib.</i>
Speech of Mr. Adam	<i>ib.</i> —154
— Mr. Dundas	153, 154
— Mr. Fox	153—155
— Mr. Pitt	154, 155
— Mr. Sheridan	<i>ib.</i>
— Mr. Anstruther	<i>ib.</i>
— Mr. Taylor	156
— the Speaker	<i>ib.</i>
Mr. Adam's Notice thereupon	<i>ib.</i>
MESSAGE from the KING	<i>ib.</i>
JOB	<i>ib.</i>
Mr. Sheridan's Notice thereupon	<i>ib.</i>

Tuesday, Jan. 28.

SLAVE TRADE	159
Mr. Wilberforce's Notice thereupon	<i>ib.</i>
HESSIAN TROOPS	<i>ib.</i>
Speech of Mr. Grey	<i>ib.</i>
— Mr. Pitt	<i>ib.</i>
— Mr. Fox	160
— Mr. Pitt	<i>ib.</i>
ACCOUNTS of SALARIES	161
Speech of Mr. Sheridan	<i>ib.</i>
Debate on above Motions	166
Speech of Lord Yarmouth	210
CONVOYS	167
Speech of Mr. Fox	<i>ib.</i> 173
— Mr. Pitt	173. 175, 176.
— Admiral Gardner	173
Speech	

INDEX.

Speech of Mr. Sheridan	Page 175	THE BUDGET.	Page 277
Debate upon above Subject	178	Speech of Mr. Pitt	<i>ib.</i>
Friday, Jan. 31.		— Mr. Fox	286
TREATY with the KING of SARDINIA	196	The LOAN and TAXES	292
Speech of Mr. Fox	<i>ib.</i>	Speech of Mr. Hobart	<i>ib.</i>
— Mr. Powis	199	— Mr. Fox	293
— Mr. Ryder	201	— Mr. Pitt	<i>ib.</i>
— Mr. Grey	202	— the Speaker	294
— Mr. Canning	204	— Mr. Jolliffe	<i>ib.</i>
— Mr. Stanley	206	FRENCH PROPERTY BILL	295
— Mr. Alderman Newnham	207	Speech of Mr. Jekyll	<i>ib.</i>
CONFISCATION of the PROPERTY of FOREIGNERS in FRANCE	209	— Sir John Scott	296
Speech of the Chancellor of Exchequer (Mr. Pitt)	<i>ib.</i> 225	SLAVE TRADE	297
CONVOYS.		Speech of Mr. Cawthorne	<i>ib.</i> 301
Further Debates thereon	210	— Mr. Pitt	297. 302
Speech of Mr. Hufsey	212	— Mr. Fox	298
— Mr. Fox	213, 215	— Mr. Wilberforce	<i>ib.</i> 311
— Mr. Pitt	214	— the Speaker	<i>ib.</i>
— Mr. Vaughan	215, 222	— Sir W. Young	<i>ib.</i>
— Alderman Anderson	216	— Mr. Whitbread	300. 310
— Mr. Dundas	217	— Mr. Bent	302
— Mr. Sheridan	<i>ib.</i> 222	— Mr. Alderman Newnham	303
— Earl Wycombe	219	— Col. Tarleton	304
— Mr. Burke	220, 221	— Mr. D. Ryder	305
— Mr. Grey	220	— Mr. Lechmere	<i>ib.</i>
FRENCH OFFICERS in BRITISH PAY	230	— Mr. East	306
Speech of Major Maitland	<i>ib.</i> 231	— Mr. Payne	309
— Mr. Dundas	230	— Mr. W. Smith	311
— Mr. Grey	231	LANDING of HESSIAN TROOPS	316
ARMY ESTIMATES	232	Speech of Mr. Grey	<i>ib.</i> 338
Speech of Sir G. Yonge	<i>ib.</i>	— Mr. Powis	322
— Mr. Hufsey	233, 245	— Mr. Whitbread	325
— Major Maitland	235, 244	— Mr. Windham	326
— Mr. Jenkinson	241, 246	— Lord G. Cavendish	327
— Mr. Drake	244	— Major Maitland	328
— Lord Fielding	245	— Mr. Francis	<i>ib.</i>
— Capt. Berkeley	246	— Mr. Wallace	331
— Mr. Pitt	246, 257	— Mr. M. Montague	334
— Sir J. Murray	251	— Mr. Yorke	337
— Mr. Fox	257, 258, 259	— Sir J. Scott	<i>ib.</i>
— Mr. Dundas	259	— Mr. W. Smith	338
— Alderman Anderson	259	— Mr. Pitt	338, 347
— Mr. Martin	261	— Mr. Fox	341
CATHOLICS.	263	— Mr. Martin	347
Speech of Mr. Mitford	<i>ib.</i>	TRIAL of Mr. HASTINGS	<i>ib.</i>
MOTION for AMENDMENT of SCOTS CRIMINAL LAW	264	Speech of Mr. Wigley	<i>ib.</i>
Speech of Mr. Adam	264, 272	— Mr. Fox	348
— Mr. Anstruther	268	— Mr. Jekyll	<i>ib.</i>
— Mr. Serjeant Adair	<i>ib.</i>	— Mr. Taylor	349
— Mr. Mitford	269	— the Speaker	<i>ib.</i>
— Mr. P. Arden	272	ALIEN BILL	<i>ib.</i>
		Speech of Mr. Dundas	<i>ib.</i>
		TRIAL of Mr. HASTINGS	351
		ADMINISTRATION of JUSTICE in SCOTLAND	<i>ib.</i>
		Speech of Mr. Adam	<i>ib.</i>
		— Mr. Pitt	<i>ib.</i>

WOOL-

INDEX.

WOOLCOMBERS	Page 352	CONVOYS	Page 352. 361
Mr. Baftard's Motion	<i>ib.</i>	ADMINISTRATION of JUSTICE in	
Speech of Mr. Pitt	<i>ib.</i>	SCOTLAND	<i>ib.</i>
SLAVE TRADE	<i>ib.</i>	Speech of Mr. Adam	<i>ib.</i> 362
RESOLUTIONS passed in a Committee		Mr. Pitt	<i>ib.</i>
of Supply	353	MILLERS TOLLS	363
		Speech of Sir Francis Baftett	<i>ib.</i>

END OF THE FIRST VOLUME.

